

CITY OF FULLERTON
CITIZEN PARTICIPATION PLAN - AMENDMENT
May 2009

APPLICABILITY AND ADOPTION OF THE CITIZEN PARTICIPATION PLAN

The U.S. Department of Housing and Urban Development (HUD) requires jurisdictions who receive Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) funds to adopt a Citizen Participation Plan (Plan). The City of Fullerton's (City) Plan sets forth the City's policies and procedures that encourage citizens to participate in an advisory role on issues related to the use of federal funding. If in the future, the City receives other federal dollars that fall under this requirement; this Plan will be used to encourage public input until a revised Plan is adopted.

ENCOURAGEMENT OF CITIZEN PARTICIPATION

The law requires that the Plan provide for and encourage public participation in the development of the Consolidated Plan (CP), any substantial amendments to the CP, and the Consolidated Annual Performance and Evaluation Report (CAPER). This Plan will also include participation in the development of a Section 108 project.

An emphasis is placed on the involvement of low- and moderate-income persons, particularly those living in slum and blighted areas where CDBG funds are proposed to be used, and by residents of predominantly low- to moderate-income neighborhoods. (Definition of low- and moderate persons includes individuals and families at or below 80% of the median income and persons/groups who qualify under the federal definition of presumed benefit. The definition of low- and moderate neighborhoods relates to areas where 51% or more of the residents are at or below 80% of the median income.) In addition, the City will encourage, in conjunction with the consultation of the public housing authority, if such projects exist, the participation of residents in public and assisted housing developments. Also, low-income residents of targeted revitalization areas in which developments are located will be encouraged to participate. The City is expected to take whatever actions are appropriate to encourage participation of minorities, persons who do not speak English, and persons with disabilities.

When developing and implementing the CP, the City shall encourage participation of local and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations). This will be done by way of an ongoing interest list, cable advertisement, and any other media deemed reasonable and appropriate such as the Internet. The Community Development Citizens' Committee (CDCC) is invited to participate in the development of the CP and will be provided a copy of the draft plan to review before the public hearing.

CITIZEN COMMENT ON THE CITIZEN PARTICIPATION PLAN AND AMENDMENTS

The City will provide a 30-day public comment period on the original Plan and any substantial amendments to the Plan. The Plan will be available to the public at all times (not only during the public comment period) upon request. The Plan will be in a format accessible to persons with disabilities, upon request.

PUBLIC COMMENTS

A formal public comment period of this Citizen Participation Plan – Amendment dated May 2009 was held from April 13, 2009, through May 13, 2009. A public notice specifically relating to the availability of the draft for review was published in the “Fullerton News Tribune” on April 16, 2009, and in “La Opinion” (Spanish language-newspaper) on April 15, 2009. In addition, a notice was posted at City Hall and the Main Library on April 10, 2009. Copies of the draft were distributed to all members of the Community Development Citizens’ Committee (CDCC).

DEVELOPMENT OF THE CONSOLIDATED PLAN/ANNUAL ACTION PLAN AND SECTION 108

Before the City adopts a CP or a Section 108 project application, the citizens, public agencies and other interested parties will have access to information that includes the amount of assistance expected to be received (including grant funds and program income) and the range of activities that may be undertaken. This information includes the estimated amount that will benefit persons of low- to moderate-income. Disclosed in the CP will be the City’s plans to minimize displacement of persons and plans to assist any persons displaced, even if no displacement is expected to occur. The Plan must state when and how the City will make this information available.

A series of CDCC public meetings will be held to develop the CP/Action Plan and review requests for CDBG funding (including Section 108 projects). The first public meeting will be held a minimum of six months before the Five-Year CP is submitted to HUD. Citizens, public agencies, and other interested parties will be encouraged to submit comments on the draft through mailings, as well as at all public meetings. Surveys and comment requests will be mailed to interested parties, including the CDCC. All comments and/or views of the citizens will be considered at the public hearing of the City Council. The CDCC’s funding recommendations will also be discussed at a public hearing. A summary of all comments and/or views, including those not accepted and the reasons therefore shall be attached to the CP.

A 30-day formal public review period of the draft CP/Action Plan will be held no later than mid-April through mid-May, with submission to HUD scheduled by May 15, as required. If a Section 108 Loan is being requested, the comment period will follow the requirements and timelines of that application process. A public notice specifically relating to the availability of the draft and a summary of the proposed plan will be published in a local newspaper. The public notice will describe the contents and purpose of the plans, and include a list of locations where copies of the entire proposed plans may be examined. The public notice will also be advertised in Spanish and Korean newspapers. (As of the date of this amendment an Orange County-based Korean newspaper has not been identified. If one does not exist the City will make an effort to reach the Korean community by distributing notices to the Fullerton-based Korean churches. This will be the practice throughout the remainder of this Plan.) In addition, notices will be posted and copies of the CP will be available at City Hall and the Main Library. Copies of the draft will be distributed to CDCC members and the City Council.

Complete copies of the proposed documents will be available at City Hall and the Main Library for review and comment by all interested parties. The City will provide a reasonable number of free copies of the CP to citizens and groups that request it.

Any and all comments or views of citizens received either in writing or orally during the public comment period or at the public hearings will be considered in the preparation of the final

submissions. A summary of all comments or views, whether accepted or not, shall be attached to the final submissions. A response to those comments/views not accepted will be included.

AMENDMENTS

Minor and/or substantial amendments to the CP/Action Plan may be made during the program year. Minor and substantial amendments will be reviewed by the CDCC and recommendations presented to the City Council for approval. Minor amendments may be made in house without public input.

The following situations that result in denial or reduction of funds for cause will be approved at staff level and may not require CDCC, City Council, or HUD approval. If a recipient of federal funds does not meet federal or local regulations to receive funds, funds will be denied without public comment. The denial of funds will be reported in the CAPER. If the recipient withdraws or terminates their program after the CP/Action Plan has been submitted, federal funds will not be disbursed. The action will be reported in the CAPER. These funds may be reallocated during the program year, if so the reallocation may trigger substantial amendment requirements. If the funds are carried over to the following fiscal year, they will not trigger a substantial amendment, but will be included in that year's process.

Activities funded with federal funds and reported in the Action Plan have units of measure (e.g. number of beneficiaries, number of houses to be rehabilitated, etc.) An increase or decrease in performance measures will not constitute an amendment, but the measurements and an explanation of the changes will be included in the CAPER.

Substantial amendment requirements will be triggered when costs to programs increase by \$25,000 or 25% of a project's budget, whichever is greater. Cost savings or the deletion of work will not constitute a substantial amendment.

In the case of using federal funds for urgent need, the City will follow HUD regulations and may waive the need of a substantial amendment. These activities would provide emergency services and may be exempt from citizen participation, public notifications, and other federal requirements.

HUD does not require that HOME-funded projects be identified in the CP/Action Plan. Projects are identified during the year and are exempt from the substantial requirements. Projects will be approved at a public City Council meeting and the public may provide input at that time.

Substantial amendments to the CP/Action Plan will be noticed and meet all of the requirements of the approved CP/Action Plan including a 30-day comment period of any draft amendments before they are implemented. Amendments must either meet a priority need listed in the current CP or must be able to identify a priority need the amendment will meet.

A public notice specifically relating to the availability of the draft of the proposed substantial amendments will be published in a local newspaper. If the amendment affects the neighborhoods or services provided to specific groups, those groups will be notified. If one of those groups is of predominantly Spanish or Korean descent, the public notice will also be advertised in a Spanish and/or Korean newspaper. Notices will be posted at City Hall and the Main Library. Copies of the draft will be distributed to CDCC members. The recommendation will be heard at a public hearing before the City Council.

Any and all comments or views of citizens received in writing or orally at the public hearings will be considered in the preparation of substantial amendments. A summary of all comments or views, whether accepted or not, shall be attached to the final plan. A response to those comments/views not accepted will be included.

PERFORMANCE REPORTS

A minimum 15-day formal public comment period of the draft CAPER will be held in September, with submission to HUD scheduled by the September 28 deadline. A public notice specifically relating to the availability of the draft report will be published in a local newspaper. In addition, public notices will be published in a Spanish and Korean newspaper. Notices of availability will also be posted at City Hall and the Main Library. Copies of the draft will be distributed to the CDCC members.

Any and all comments or views of citizens received in writing or orally during the review period will be considered in the preparation of performance report. A summary of all comments or views, whether accepted or not, shall be attached to the final report.

PUBLIC HEARINGS

A minimum of two public hearings per year will be held to obtain citizens' views and to respond to proposals and questions. Together, the hearings address housing and community development needs, development of proposed activities, and review of program performance. A public hearing will be held at the first meeting of the CDCC when the CDCC reviews the most current five year CP, the most recent CAPER, and, if available, HUD's most recent evaluation and the Section 108 update. This meeting also allows the CDCC to hear from the public before making funding recommendations that will be in the Action Plan. During the process of the five year CP, an additional public meeting is held during business hours as it is more convenient for representatives of local organizations to attend and provide comment. The second public hearing is held before the City Council when the proposed CP or Action Plan is approved and submitted to HUD. Both hearings allow the public an opportunity to express their views on housing and community development needs, including priority non-housing community development needs. This also allows an opportunity to discuss any other issues the City may have to address and to gather and present information for the preparation of the CP, the disbursement of CDBG and HOME funds, and other related issues.

Press releases and notices will be published, at a minimum, in the local community-wide newspapers. In addition to English, notices will be published in Spanish and Korean newspapers. Press releases will be published a minimum of ten days before a public hearing. In addition, they will be posted on information boards at City Hall and the Main Library. Parties on the housing and community development interest mailing list will also be notified. The list includes neighborhood and community organizations, local jurisdictions, the Orange County Housing Authority, as well as interested individuals. When necessary, flyers will be distributed in areas where a significant amount of activity is proposed or ongoing. Information contained in the notifications must include times, places and purposes of all meetings. If the population of these areas is of predominantly Spanish or Korean descent, the notification will also be provided in Spanish and/or Korean.

All hearings are to be held at convenient times and locations to maximize citizen and community involvement. The majority of the hearings will be held in the evening. Hearings are held at public facilities, and accommodations for persons with disabilities will be provided.

NON-ENGLISH SPEAKING RESIDENTS

Meeting notifications will be released to local newspapers. In addition to English, notices will be published in Spanish and Korean newspapers. Bilingual translators will be available when a significant number of non-English speaking residents are expected to participate at public meetings and hearings. As necessary, program information will be available at the three community centers located in the highly populated Hispanic areas of Fullerton (Valencia, Garnet and Maple).

MEETINGS/PUBLIC HEARINGS

All meetings are to be held at convenient times and locations to maximize citizen and community involvement. The majority of the meetings are held in the evening. Meetings are held at public facilities and provide accommodations for persons with disabilities are provided (e.g. wheelchair access, sign language interpreter)

AVAILABILITY TO THE PUBLIC

All program documents, including the adopted CP, substantial amendments, and the CAPER shall be readily available upon request for review during normal working hours in the Community Development Department of Fullerton City Hall, 303 W. Commonwealth Avenue, Fullerton, CA 92832. Upon request, documents may also be mailed, faxed, or e-mailed depending upon the size of the file. All documents will be provided in a format accessible to persons with disabilities, upon request (e.g. Braille, electronic, or large print copies for the visually impaired; and copies shall be delivered to the homebound).

ACCESS TO RECORDS

All information and records requested by citizens, public agencies, and other interested parties relating to the City's CP and/or the use of funds under the applicable programs for the preceding five years will be made available within a reasonable time frame. Most documents can be provided immediately, but may take up to ten calendar days.

TECHNICAL ASSISTANCE

Staff shall provide technical assistance to individuals and/or groups representing persons of low-to moderate-income that request such assistance in developing proposals for funding assistance. An annual technical workshop will be held for agencies to understand the regulations of the CDBG program and application process. Individual assistance for all programs will be available for groups and persons by appointment throughout the year.

COMPLAINTS

All written complaints to the CP, substantial amendments, and the CAPER will be answered in a timely and responsive manner. Every reasonable effort will be made to respond within 15 days of receipt of a complaint. A copy of the complaint and response will be filed in the correspondence file.

USE OF CITIZEN PARTICIPATION PLAN

The City will follow the Plan to provide and encourage citizen and community input.

JURISDICTION RESPONSIBILITY

The requirements of the Plan shall not restrict the responsibility or the authority of the City in the development and execution of the CP.

All questions related to this Plan may be addressed to the Housing Programs Supervisor, City of Fullerton, and 303 W. Commonwealth Avenue, Fullerton, CA 92832. Copies of this Plan are available upon request.

DRAFT

Appendix A

COMMUNITY DEVELOPMENT CITIZENS' COMMITTEE

The CDCC is responsible for the development of, evaluation, and amendments to, but not limited to, CDBG/HOME/CP programs and activities. The CDCC may also review other federal programs. Committee recommendations are made directly to the City Council.

The committee consists of nine members. Eight members (two each) represent the City from four geographical areas (north, south-central, southeast, and southwest) and are appointed by the City Council. The ninth member is a representative of the Chamber of Commerce. Every effort must be made in appointing members to ensure that there is substantial representation of low- to moderate-income persons and members of minority groups (e.g. seniors, ethnicity). Members can serve no more than two four-year consecutive terms as established by the City Council.

All CDCC meetings are open to the public to encourage input in the development of the Consolidated/Action Plans, to recommend distribution of the CDBG funds including amendments, to review the use of HOME and Section 108 funds, to review performance evaluations, and to consider acceptance and possibly provide recommendation of other federal funding.

VALENCIA TASK FORCE

The Valencia Task Force is a neighborhood committee involved in the Richman Park Area community. This task force was very instrumental with the Section 108 and CDBG funds utilized in the area.