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**RESOLUTION**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Citizen Participation Plan for the City of El Paso be revised, as reflected in Attachment A, to: (1) include the HUD-mandated Assessment of Fair Housing (AFH); (2) Replace the Community Development Steering Committee with the Community Needs Advisory Committee for Citizen Participation ("CNAC") as defined in Attachment A; (3) provide certain additional revisions recommended by the staff of the Department of Community and Human Development; and (4) reflect current practices and procedures and to remove obsolete language.

**APPROVED** this 31st day of January, 2023.

**CITY OF EL PASO**:

Oscar Leeser
Mayor

**ATTEST**:

Laura D. Prine
City Clerk

**APPROVED AS TO FORM**:

Joyce Garcia
Assistant City Attorney

**APPROVED AS TO CONTENT**:

Nicole Ferrini, Director
Community and Human Development

Abraham Gutierrez for
Nicole Ferrini

23-1039-2092 | 1222808
Citizen Participation Plan 2022 (CIP)
JG

**Attachment A**

Citizen Participation Plan

City of El Paso

# CITIZEN PARTICIPATION PLAN

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## EXECUTIVE SUMMARY

The Citizen Participation Plan (The Plan) provides a guide for citizens and citizen organizations to participate in an advisory role in planning, implementing and assessing the Community Development Block Grant, Emergency Solutions Grants, Housing Opportunities for Persons with AIDS (HOPWA), and HOME Investment Partnerships Programs

The Plan describes procedures by which each of the requirements of the program will be carried out. Additionally, the Plan sets forth how citizens may participate in the development of the program. Any amendments to the Citizen Participation Plan will be subject to all provisions within this Citizen Participation Plan.

At a minimum, citizens shall have an opportunity to submit comments and proposals regarding the program in the following manner:

- Directly to the Department of Community and Human Development;
- At formal Public Hearings; and
- At community engagement events and town hall forums during the Community Needs Assessment planning process.

The Citizen Participation Plan is available in English and Spanish at no charge at the Department of Community and Human Development (DCHD), 801 Texas Avenue, El Paso, Texas, 79901; a digital copy at the City's public libraries, and printed copies may be made available to the public upon request. The Plan is also available on the City's website (http://www.elpasotexas.gov/community-and-human-development).

The Plan process centers equity by actively involving people who have been historically underserved, marginalized, and adversely affected by inequality by prioritizing their needs throughout planning and implementation. This is carried out through the Community Needs Assessment process that starts at the beginning of each funding cycle.

The City of El Paso is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable modifications and equal access to communication will be provided upon request. The City of El Paso does not discriminate on the basis of disability in the admission or access to, or treatment or employment in, its programs and activities.

Citizens are encouraged to obtain copies of the Citizen Participation Plan in order to more effectively participate in the Program.

### EXPEDITED PROCESS FOR COVID-19 RESPONSE & RECOVERY

The Department of Housing and Urban Development (HUD) has issued specific program waivers and flexibilities to allow grantees to direct federal funds to the COVID-19 pandemic response in an expedited manner. The requirements and procedures described in this section override all applicable requirements and procedures located in other sections of this document, specifically for the 2019-2020 and 2020-2021 Annual Action Plan years of the 2020-2025 Consolidated Plan, until such time as HUD lifts those applicable waivers and flexibilities.

- Public Comment for Community Development Block Grant (CDBG) Program – A notice of proposed Annual Action Plan and/or Consolidated Plan related to the Community Development Block Grant Program, and substantial amendments to the City's Annual Action Plan and/or Consolidated Plan, related to CDBG, will be published on the City's web site no less than 5 days before the final plans or substantial amendments are considered for adoption by City Council in order to provide a period of 5 days for comments from the public.

- Public Comment for Emergency Solutions Grant (ESG) Program – Notice of substantial amendments to the City's Annual Action Plan and/or Consolidated Plan, related to ESG, will be published on the City's web site for public review following adoption by City Council.
- Public Hearings – In-person public hearings are not required. The City may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the City's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.
- Plan Availability – Policies and Procedures, Citizen Participation Plans and Annual and Consolidated Plans will be available at public facilities, as delineated in this document, within 2 weeks of the reopening of those public facilities, as they are currently closed under emergency orders.

## CONSOLIDATED PLAN, GUARANTEED LOAN FUNDS AND ASSESSMENT OF FAIR HOUSING GUIDELINES

### COMPONENTS OF CONSOLIDATED PLAN

The City of El Paso is required to submit to the U.S. Department of Housing and Urban Development (HUD) a Consolidated Plan that includes the following components:

- Executive Summary – A summary that includes the objectives and outcomes identified in the plan and an evaluation of past performance.
- Citizen Participation – A summary of the citizen participation process used in the development of the Consolidated Plan, explaining the utilization of public notices, public hearings, public involvement, availability to the public and technical assistance.
- Housing and Homeless Needs Assessment – An estimate of the city's housing needs for the ensuing five years; a concise summary of the nature and extent of homelessness in the jurisdiction; an estimate of the number of persons in various subpopulations that are not homeless but may require housing or supportive services (special needs); and an estimate on the number of housing units that contain lead-based paint hazards.
- Housing Market Analysis – A description of the significant characteristics of the city's housing market; a concise summary of the needs of public housing; a description (number and targeting) of assisted housing units; a concise summary of the existing facilities and services that assist the city's homeless; a description of the special need facilities and services; and an explanation of the barriers to affordable housing.
- Strategic Plan – A plan for a period established by the city that brings needs, priority needs, priorities, specific objectives and strategies together in a coherent strategic plan; including the time period covered by the plan, a priority needs analysis, and geographic distribution and specific objectives.
- Priority identification – The identification of priority needs, strategies and objectives related to Housing, Homeless, Special Needs Populations, Community Development and Cross Cutting Issues.
- Analysis of Impediments to Fair Housing (AI) – The assessment of information on the current state of neighborhood demographics and assets to identify and understand local and regional fair housing issues and to set goals for improving fair housing choice and access to opportunity.

### LEAD ENTITY OF CITIZEN PARTICIPATION PLAN FOR THE CONSOLIDATED PLAN

The City's Department of Community and Human Development (DCHD), located at 801 Texas Avenue, El Paso, Texas 79901, is the lead entity for fulfilling the City's responsibilities in relation to this Citizen Participation Plan. Responsibilities of the Department may include the following:

- Inform the public about the Community Development Program and the citizen participation process through the local media in both English and Spanish languages;
- Facilitate stakeholder consultation and citizen outreach with other public and private agencies including, but not limited to the Local Public Housing Authority, Social service providers, and community-based organizations that represent protected class members;
- Provide technical assistance to representatives of low- and moderate-income persons and groups, neighborhood associations and other civic and citizen organizations when requested so that they may adequately participate in planning, implementing, and assessing the program;
- Provide technical assistance to representatives of low- and moderate-income persons and groups, neighborhood associations, and other civic and citizen organizations which request assistance in developing proposals and comments
    - Other City Departments: City Departments, in addition to the Department of Community Development, shall be requested to provide technical assistance at public hearings, and at neighborhood association meetings, in order to translate neighborhood needs into specific projects and activities when appropriate.
- Maintain all records of the Citizen Participation process, including minutes of public hearings and Community Needs Assessment meetings, and Community Needs Advisory Committee;
- Review all proposals for entitlement grant funding;
- Schedule an annual public hearing on program needs, performance and proposed activities to be conducted at a regularly scheduled City Council meeting.

## CITIZEN PARTICIPATION PLAN

Public participation is a critical component of effective planning. The City of El Paso relies on feedback from their residents to prioritize resources and identify key priorities and projects. This Plan sets forth the policies and procedures which the City of El Paso will follow to encourage citizen participation in the development of the Consolidated Plan and any substantial amendments to it; development of a guaranteed loan program application and subsequent substantial amendments thereof; Analysis of Impediments to Fair Housing (AI) and any revisions required; and the annual performance report.

### ENCOURAGEMENT OF CITIZEN PARTICIPATION

The City of El Paso considers it a right of all El Paso's residents to have the opportunity to provide input and comment on the use of public funds and the needs of the El Paso community related to community development. The Citizen Participation Plan and – Analysis of Impediments to Fair Housing are designed specifically to encourage participation by low- and moderate-income persons and residents of predominantly low- and moderate-income neighborhoods, particularly those living in areas where Community Development Block Grant (CDBG) funds and guaranteed loan funds are proposed to be used. A map of the City of El Paso, indicating the areas of the City that have been identified as predominantly low- and moderate-income in accordance with HUD guidelines, is included as **Attachment B**. The City will take all appropriate actions to encourage the participation of all of its citizens, including minorities and non-English speaking persons, as well as persons with disabilities, persons living in areas designated by the local jurisdiction as a revitalization area and areas designated by either a local jurisdiction or a state as a slum or blight area. The City will encourage the participation of Continuums of Care, businesses, developers, non-profit organizations, philanthropic organizations, and community-based and faith-based organizations.

The City of El Paso shall consult and coordinate with the key stakeholders and private and public agencies including, but not limited to the El Paso Public Housing Authority, in order to encourage the participation of residents of public and assisted housing in the process of developing and implementing the Consolidated Plan,

guaranteed loan funds and the Analysis of Impediments to Fair Housing, along with other low-income residents of targeted revitalization areas in which the public and assisted housing is located.

The City of El Paso shall provide information to the El Paso Public Housing Authority about Consolidated Plan, guaranteed loan funds and Analysis of Impediments to Fair Housing activities related to the Authority's housing developments and surrounding communities, local and regional institutions. Subsequently, the Housing Authority will make this information available as required under the Comprehensive Grant Program.

Additionally, the City will continue to follow The Plan to serve specifically as a guide to citizens for participation in planning, implementing and assessing the City's Entitlement

## PUBLICATION + GENERAL CIRCULATION

The City will publish the proposed Consolidated Plan, any guaranteed loan application, or Analysis of Impediments to Fair Housing in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. A summary of the proposed Consolidated Plan, the guaranteed loan application, or Analysis of Impediments to Fair Housing will be published in a general circulation newspaper, no less than 30 days before the adoption of the final plan or the submission of the guaranteed loan application. The summary that is published in the newspaper will describe the contents and purpose of the Consolidated Plan, the guaranteed loan application, or Analysis of Impediments to Fair Housing and will include a list of the locations where copies of the entire proposed Consolidated Plan, the guaranteed loan application, or Analysis of Impediments to Fair Housing may be examined. Copies of the proposed Consolidated Plan, the guaranteed loan application, or Analysis of Impediments to Fair Housing will be made available upon request for review at the City's DCHD, 801 Texas Avenue, El Paso, Texas 79901; the One Stop Shop 811 Texas Ave. El Paso, TX 79901,. A digital copy may be made available at the City's public libraries; and the City's web site. In addition, the City will provide a reasonable number of free copies of the Plan, the guaranteed loan application, or Analysis of Impediments to Fair Housing to citizens and groups that request it.

## PUBLIC HEARINGS

The City will hold at least two public hearings per year to obtain citizen comments and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings will address housing and community development needs during the Community Needs Assessment, development of proposed activities, and review of program performance. At least one of these hearings will be held before the Consolidated Plan, Annual Action Plan, guaranteed loan application, or Analysis of Impediments to Fair Housing is published for comment or before the guaranteed loan application is submitted to HUD in order to obtain the comments of citizens on housing and community development needs, including priority non-housing community development needs.

Notice of the date and time of the public hearings (with sufficient information about the subject of the hearing to permit informed comment) will be published in a general circulation newspaper and on the City's web site. Public hearings will be held at times and locations convenient to potential and actual beneficiaries. In order to assure that there is accommodation for persons with disabilities, the City's Accessibility ADA Coordinator will be consulted about the accessibility of potential meeting sites, as needed.

Public notices about the Consolidated Plan, the guaranteed loan application, Analysis of Impediments to Fair Housing, or substantial amendments to the Consolidated Plan, guaranteed loan program, or Analysis of Impediments to Fair Housing will be published in both English and Spanish. In the case of public hearings the City

will an interpreter upon request to interpret the proceedings for non-English speakers, and written handouts will be provided in English and Spanish.

Specific efforts will be made to involve residents of low- and moderate-income areas in local meetings related to the Consolidated Plan, the guaranteed loan program, or Analysis of Impediments to Fair Housing. Such efforts may include, but are not limited to, contacting neighborhood associations and organizations in low- and moderate-income areas, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Written citizen proposals and comments will be encouraged throughout the planning and implementation of Community Development needs.

## PUBLIC COMMENT

- **Consolidated Plan, guaranteed loan funds and** Analysis of Impediments to Fair Housing A comment period of no less than 30 days will be provided to receive comments from citizens on the proposed Consolidated Plan, the proposed guaranteed loan application, or Analysis of Impediments to Fair Housing The City shall consider any comments of citizens received in writing, or orally at the public hearings or directly to the DCHD, in preparing the final Consolidated Plan, guaranteed loan application or AFH. A summary of these comments, and a summary of any comments not accepted and the reasons therefor, shall be attached to the final Consolidated Plan, guaranteed loan application or Analysis of Impediments to Fair Housing.

- **Substantial Amendments.** The City will provide citizens with reasonable notice and an opportunity to comment on substantial amendments. A notice of the proposed substantial amendment will be published in a general circulation newspaper and on the City's web site no less than 30 days before the amendment is implemented in order to provide a period of 30 days for comments. Substantial amendments to the Consolidated Plan, the guaranteed loan program, Analysis of Impediments to Fair Housing, or other grant program will be acted upon by the El Paso City Council in open City Council meetings.

  The City will consider any comments of citizens received in writing, or orally, at public hearings or directly to the Department of Community and Human Development, if any, in preparing the substantial amendment. A summary of these comments, and a summary of any comments not accepted and the reasons, therefore, shall be attached to the substantial amendment of the Consolidated Plan, the guaranteed loan program, Analysis of Impediments to Fair Housing, or other grant program.

- **Performance Reports.** The City will provide citizens with reasonable notice and an opportunity to comment on performance reports. The City will publish in a general circulation newspaper and the City's web site a notice of the availability of the Consolidated Plan performance report no less than 15 days before the submission date in order to provide a period of no less than 15 days to receive comments before the performance report is submitted to HUD.

  The City will consider any comments of citizens received in writing, or orally at public hearings or directly to the DCHD in preparing the performance report. A summary of these comments or views shall be attached to the performance report.

## OTHER CITIZEN ENGAGEMENT GUIDELINES

- **Availability to Public**. The Consolidated Plan, as adopted, any substantial amendments to the Consolidated Plan, the guaranteed loan application and any substantial amendments thereof, Analysis of Impediments to Fair Housing, and the performance report will be available to the public. These materials will be available

upon request at the Office of the City's DCHD, 801 Texas Avenue, El Paso, Texas 79901; The One Stop 811 Texas Ave. El Paso, TX 79901, a digital copy may be made available at the City's public libraries; and the City's web site. Materials will be made available upon request in a form accessible to persons with disabilities and translated for non-English speaking residents.

- **Access to Records**. The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's Consolidated Plan and the City's use of assistance under the programs covered by the Consolidated Plan during the preceding five years.
- **Technical Assistance**. The City will provide technical assistance to any prospective applicant and/or groups representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan and the guaranteed loan program. The provision of technical assistance does not guarantee the provision of funds to the groups.
- **Complaints**. The City will provide a timely, substantive written response to every written citizen complaint regarding programs or activities related to the Consolidated Plan, the guaranteed loan program, or Analysis of Impediments to Fair Housing within 15 working days, when practicable. Complaints and grievances should be submitted in writing to the City's DCHD, 801 Texas Avenue, El Paso, Texas 79901.

## DISSEMINATION OF FUNDING INFORMATION

Before the City adopts a Consolidated Plan, submits a guaranteed loan application, or develops an Analysis of Impediments to Fair Housing the City will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the City expects to receive or expects to be made available (including grant funds, guaranteed loan funds and anticipated program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income. The City will publish this information in a general circulation newspaper. The information will also be disseminated at neighborhood and agency meetings during the development phase of the Consolidated Plan, guaranteed loan application, or Analysis of Impediments to Fair Housing.

## RESIDENTIAL ANTI-DISPLACEMENT + RELOCATION ASSISTANCE PLAN

The City has adopted a Residential Anti-Displacement and Relocation Assistance Plan, included as **Attachment D**, which describes in detail the measures that the City will take to assist any persons displaced, and specifies the types and levels of assistance the City will make available (or require others to make available) to persons displaced, even if the City expects no displacement to occur. This Plan is available to the public at the City's DCHD, 801 Texas Avenue, El Paso, Texas 79901.

## CRITERIA FOR SUBSTANTIAL AMENDMENTS

Substantial amendments to the Consolidated Plan, the guaranteed loan program, Analysis of Impediments to Fair Housing, or other grant programs are subject to the citizen participation process. The following criteria will be used to identify substantial amendments to the Consolidated Plan, the guaranteed loan program, or Analysis of Impediments to Fair Housing:

- The City adds priorities to the Consolidated Plan or deletes priorities that were included in the Consolidated Plan for housing, homelessness or community development.
- The City changes the method of distribution of funds.

- The City decides to carry out, under any Federal grant program, an eligible project that was not previously described in the Consolidated Plan. This does not apply to changes to activities within an existing project.
- The City decides **not** to carry out, under any Federal grant program, an eligible project that was described in the Consolidated Plan. This does not apply to changes to activities within an existing project.
- The City changes the purpose and scope of a project by increasing or decreasing the project's scope of services, target population, or budget by more than 75% from the original description. This does not apply to changes to activities within an existing project unless it would result in a change of more than 75% to the overall project.
- The City changes the location of a physical project outside the previously described area of the population to be served to another eligible area. This does not apply to Public Services, Economic Development or other non-physical projects.
- The City changes the eligible beneficiaries of an activity by reducing or increasing the beneficiaries by more than 50% due to any of the following circumstances:
    - For physical projects, change of physical location of the project to another eligible area and, therefore, changing the eligible service area.
    - For non-physical projects such as Public Services and Economic Development, a change of eligible client criteria as categorized in the Consolidated Plan (e.g. Seniors to Youth).
    - The City decides to carry out under the guaranteed loan program an eligible activity that was not previously described in the loan guarantee application.
    - The City decides not to carry out under the guaranteed loan program an eligible activity that was previously described in the loan guarantee application.

The City will revise the Analysis of Impediments to Fair Housing when:

- A material change in the jurisdiction no longer reflects actual circumstances and within twelve (12) months of the material change; or
- A Presidentially declared disaster and within two years of the declaration; or
- Upon notification from HUD that a change is required and within the time frame specified by HUD.

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

## COMMUNITY NEEDS ASSESSMENT

The Community Needs assessment serves as the starting point in addressing community vulnerabilities. Each September, at the beginning of each entitlement funding cycle, DCHD will launch the Community Needs Assessment process. The purpose of the Community Needs Assessment is to obtain citizen's views regarding housing and community development needs and proposed activities that support identified community vulnerabilities. This process will be lead by the DCHD Civic Empowerment team. The DCHD Civic Empowerment team's primary objective is to advance equity and improve community outcomes through equitable programming volunteerism, and education designed to empower residents and strengthen their relationship with local government.

The City of El Paso creates opportunities for innovation and collaboration through strategic partnerships which have been demonstrated throughout our Communities of Excellence Initiative. Communities of Excellence (COE) is a formalized group of community organizations, across key sectors that take a systemic approach to improving overall community performance through collaboration and partnerships. The COE is an essential part of the planning process because it allows for businesses, organizations, and governments to collaborate more successfully across sectors, and align their strategic priorities more effectively. The Community Needs

Assessment will consist of a combination of surveys and focus groups from organizations representing the following categories:

- Equity + Inclusion
- Housing +Homelessness
- Family Stability
- Health and Wellbeing
- Food Security

**Community Roundtables:** The Civic Empowerment team will lead the Community Needs Assessment by hosting a series of roundtables across the 5 categories listed above. COE Stakeholders, Neighborhood Associations and members of the public will be invited to attend. DCHD to provide the community with a list of potential projects or actions that could be pursued over a period of years in order to address community vulnerabilities.

**Perceptions Assessment:** Civic Empowerment will assess perceptions by engaging COE Stakeholders, Neighborhood Associations and members of the public by conducting formal stakeholder input sessions. This method allows us to capture stakeholder feedback collected from stakeholders in 12 different categories, ranging from leadership and strategy, health and wellbeing, infrastructure and environment, and economy and society. Participants will be asked to assess whether the input is an area of strength or if it's an area of improvement.

**Presentation of Findings:** DCHD will then present the findings, comments, and proposed activities to the Community Needs Advisory Committee for comment and input that will inform priority needs to be addressed in the annual action plan.

## COMMUNITY NEEDS ADVISORY COMMITTEE FOR CITIZEN PARTICIPATION

The Community Needs Advisory Committee (CNAC) is a group of seven appointed citizen volunteers who are currently serving on a City Council appointed board or commission. The CNAC is an essential part of the planning process. All eligible program applications recommended by DCHD Staff along with an expert technical advisory group are presented to the CNAC for review and feedback prior to presentation to City Council.

### MEMBERSHIP

The Community Needs Advisory Committee (CNAC) for Citizen Participation, will include representatives from City Boards and Commissions that are directly involved in assessing and providing services related to Community and Human Development including Equity and Inclusion, Housing and Homelessness, Family Stability, Health and Well Being and Food Security. One member from each of the following listed City Boards and Commissions will serve on the seven panel CNAC:

1. AmeriCorps Senior Advisory Committee
2. Accessibility Advisory Committee
3. Fair Housing Task Force
4. Veterans Affairs Advisory Committee
5. Youth Advisory Board
6. The Women's Rights Commission
7. El Paso Neighborhood Coalition Representative

The boards and commissions listed above represent a diverse group of at-large representatives, committed to serving the needs and interests of the populations they represent. Members must be a current sitting appointed member, in good standing, of one of the City's Boards and Commissions listed above and be willing to serve as a member of the CNAC. In the nomination of candidates for the CNAC, each of the Boards and Commissions listed above may nominate and vote on (1) one single representative to serve on the CNAC.

**Membership Nomination:** Each of the Boards and Commissions listed above on an annual basis, will nominate (1) one single representative to serve on the CNAC. The representative will represent the interests of the City Board and Commission they currently represent. Each board will nominate and vote on the member and will submit a copy of the approved minutes reflecting the approved nomination to the CNAC to DCHD.

**Membership Termination:** Any member of the CNAC who fails to attend three consecutive regular or called meetings of the Committee shall be reported by the DCHD Director so that consideration may be given to the removal of such member. DCHD will work with the Board or Commission where there is a vacancy to nominate a new CNAC representative.

**Responsibilities:** The CNAC shall serve in an advisory capacity to DCHD to review community development and housing needs and provide input on recommendations for the Community Development Program. Responsibilities of the CNAC shall include:

- Review and comment on the development of, or revisions to, the Citizen Participation Plan;
- Review comments and proposals submitted by citizens, neighborhood groups, City Departments, etc., and at public hearings;
- Review and comment on Community Development plans and projects recommendations prepared by the DCHD staff and/or technical advisory panel; and
- Provide comments to City Council on program and project recommendations;
- .

## CONFLICT OF INTEREST

Pursuant to the conflict of interest provision in 24 CFR 570.611, applicant must divulge during their tenure or for one year thereafter if:

- Is an employee, agent, consultant, officer, elected official, or appointed official of the City, or of any designated public agencies or of sub recipients that are receiving funds;
- Exercise or have exercised any functions or responsibilities with respect to CDBG-assisted activities or who are able to participate in a decision-making process or gain inside information with regard to such activities; or
- May obtain a financial interest or benefit form a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG activity, either for themselves or those with whom they have a business or immediate family ties.

Potential CNAC members who may display any potential conflict of interest may still be selected to serve at the discretion of the DCHD Director.

## ADDITIONAL GUIDELINES

- The CNAC may choose to adopt a parliamentary guide such as Robert's Rules of Order.

- The CNAC shall conduct meetings as needed, or at a minimum of twice a year. The CNAC shall be emailed a notice/agenda of each meeting; another method of communication can be used in lieu of email if requested by a member.
- A public notice informing citizens where and when the meetings shall be held will also be posted 72 hours before each meeting on the Bulletin Board at City Hall in accordance with the Texas Open Meetings Act. This will provide citizens with an opportunity to be involved in the planning, implementation and assessment stages of the program. All meetings shall be conducted in an open manner with freedom of access for all interested citizens. All meetings will be held at locations that are accessible to persons with disabilities.

## ANNUAL ACTION PLAN

The Annual Action Plan is developed according to the steps set out below. In the course of this process, City residents will be given the opportunity to submit comments on community needs. A specific effort will be made to inform low- and moderate-income persons and residents of low- and moderate-income areas about the proposal and comment process and to involve them in the process. Such efforts may include, but are not limited to contacting neighborhood associations and civic organizations in low- and moderate-income areas, contacting COE Stakeholders, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Citizen comments are encouraged for community needs. DCHD will publish a notice in English and Spanish in a local newspaper of general circulation stating how and when comments may be submitted and also the date, time, place and purpose of public hearings held to solicit comments. The media will be used whenever possible to advertise these meetings and promote attendance at these public hearings. Interested persons will also be invited to participate at other points in the process, including the presentation of the draft and final Annual Action Plans. This process will afford low- and moderate-income persons and other interested citizens an opportunity to participate in the development of the final Annual Action Plan.

### PUBLIC HEARINGS

All public hearings and neighborhood meetings will be held at convenient times and locations that permit participation by citizens and organizations. All sites selected will be fully accessible to persons with disabilities. To further accessibility, such hearings and meetings will be conducted at the Center for Civic Empowerment, located at 304 Texas Ave. El Paso, TX 79901. Upon request, accommodations can be made available using the Center for Civic Empowerment's Web Conferencing system, and written handouts will be provided in English and Spanish.

DCHD will make every reasonable effort to inform citizens, particularly low- and moderate-income persons and residents of eligible areas, of the schedule and purpose of these hearings and neighborhood meetings. DCHD will publicize these hearings and neighborhood meetings through various media, the City's website, neighborhood associations and organizations serving low- and moderate-income persons to encourage citizen input. The purpose and procedures of both the Community Development Program and the particular public hearing or neighborhood meeting will be explained in sufficient detail to allow citizens to understand and effectively contribute to the program.

### STAGES OF DEVELOPMENT

- **Community Needs Assessment-** The first step in developing the Annual Action Plan involves defining neighborhood objectives and soliciting preliminary comments on community needs. One citywide public hearing will be held to solicit comments about housing and community development needs and comments for

community development. In addition, one or more neighborhood meetings may also be held to provide neighborhood residents with an opportunity to propose projects. Specific efforts will be made to inform and involve residents of low- and moderate-income areas. Such efforts may include, but are not limited to, contacting neighborhood and civic associations and organizations in low- and moderate-income areas, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Written citizen comments will also be encouraged. A specified period and a reasonable deadline for submission of preliminary proposals and comments will be set and publicized in accordance with the methods stated in this paragraph

- **CNAC Meeting to review Community Needs Prioritization**: The second step of the Annual Action Plan Development includes the review of community needs. The CNAC committee will review community needs and shall review recommendations from DCHD for comment.
- **DCHD to issue Notice of Funding Availability-** The third step in the development of the Annual Action plan is for the Notice of Funding Availability (NOFA) to be issued based on prioritized needs established through the community needs assessment and comments through the CNAC.
- **Technical Advisory Panel**. The fourth step of the Annual Action Plan development is a review of proposed projects by a technical advisory panel, which may consist of DCHD staff and subject matter experts. This panel will review all feasible, proposed projects and make a recommendation to the CNAC.
- **CNAC Committee Meetings to Review and Comment on DCHD Recommendations** During the fifth step of the Annual Action Plan development, the CNAC shall review program recommendations for comment. The Committee shall not create subcommittees to review the proposals received. Residents, neighborhood associations, organizations, City Departments, etc. that submitted proposals will be invited to appear before the CNAC to briefly explain and justify the purpose and need for their program/project.
- **Presentation of Draft Annual Action Plan to City Council**. During the sixth step of the Annual Action Plan development, DCHD staff, in conjunction with its technical advisory panels, consolidates its recommendations and prepares a final budget recommendation that is presented to City Council. If the CNAC concurs with the DCHD staff recommendation, a consensus budget recommendation will be submitted to City Council. If the CNAC Committee disagrees with any part of the DCHD staff recommendation, DCHD staff will ensure that members' comments are shared with Council. The City Council will review the recommended budget(s) and subsequently a Draft Annual Action Plan will be made available for public comment for a period of 30 days. This Draft Annual Action Plan will be published in English and Spanish in a local newspaper of general circulation to afford residents and organizations an opportunity to examine its content and to submit comments to the City. Any comments received will be reviewed and City Council may, at its option, modify the Annual Action Plan subsequent to its publication and prior to adopting a final Annual Action Plan.
- **Public Hearing on Proposed Annual Action Plan**. During the seventh and final step, City Council will review comments received since publication of the Draft Annual Action Plan and formulate its final Annual Action Plan. This Final Annual Action Plan will be introduced at a public hearing at which residents will have the opportunity to comment on the proposed activities in the budget as well as program performance and needs. Upon completion of the public hearing, the City Council will vote to adopt a Final Annual Action Plan based upon budget recommendations and comments presented to the Council. Upon adoption, the Final Annual Action Plan and required certifications will be submitted to the Regional Office of the Department of Housing and Urban Development for review and approval. Copies of this Final Annual Action Plan will be available to the public at the City's public libraries; the City's One Stop Shop 811 Texas Ave. El Paso, TX 79901 and the City's web site. Copies can be obtained upon request at DCHD, 801 Texas Avenue.

## SUBSTANTIAL AMENDMENTS

A substantial amendments constitutes a significant change to the program, such as adding, deleting or significantly changing project scopes or allocations according to the following criteria:

- The City changes the method of distribution of funds.
- The City changes the purpose and scope of a project by increasing or decreasing the project's scope of services, target population, or budget by more than 75% and $50,000 from the original description. This does not apply to changes to activities within an existing project unless it would result in a change of more than 75% and $50,000 to the overall project.
- The City changes the location of a physical project outside the previously described area of the population to be served to another eligible area. This does not apply to Public Services, Economic Development or other non- physical projects.
- The City changes the eligible beneficiaries of an activity by reducing or increasing the beneficiaries by more than 50% due to any of the following circumstances:
    - For physical projects, change of physical location of the project to another eligible area and therefore changing the eligible service area.
    - For non-physical projects such as Public Services and Economic Development, a change of eligible client criteria as categorized in the Consolidated Plan (e.g. Seniors to Youth).
- Additionally, the DCHD Director may grant exceptions to policies and procedures contained within this document provided that those exceptions do not violate federal regulations and are made prior to presentation of the Draft Annual Action Plan to the CNAC and commencement of the 30-day public comment period.

A notice of a proposed substantial amendment will be published in English and Spanish in a local general circulation newspaper in order to provide citizens with reasonable notice, and a 30-day opportunity to comment on the substantial amendment. DCHD will record and consider comments received and may modify the proposed substantial amendment if warranted. All amendments must be submitted to City Council for review and approval. Upon approval, amendments will be submitted to the Housing and Urban Development Regional Office. A summary of comments and a summary of any comments not accepted and the reasons therefor shall be attached to the substantial amendment. A description of all substantial amendments adopted will also be available to the public at the DCHD office during normal business hours, and made available on the City's Website.

## PROGRAM IMPLEMENTATION + AMENDMENTS

Upon approval of the final Annual Action Plan, DCHD shall be responsible for initiating and monitoring the implementation of the proposed activities contained in the budget in accordance with the stated objectives. Day-to-day operational decisions and actions necessary to ensure implementation of projects shall be the function of DCHD. However, upon request, the CNAC will be advised of the status and progress of physical projects throughout the year.

## ASSESSMENT OF PERFORMANCE

- **Public Hearings on Performance and Comment Process**: Citizens are encouraged to comment on the performance of the City's DCHD Program and the extent to which project activities achieved their objectives. Comments, inquiries and complaints may be submitted to the DCHD office or City Council member. It is the responsibility of any City Council member to forward the comments, inquiries, and complaints received to the DCHD staff for a written response. DCHD staff will respond to inquiries and comments received as expeditiously as possible. Verbal complaints shall be transcribed by the DCHD staff and an appropriate response provided. Written complaints will be responded to in writing by the DCHD office within fifteen (15) working days of their receipt. Citizen comments, inquiries and complaints may also be presented at public hearings or at CNAC meetings (an opportunity for citizen comment is regularly included on the agenda). As stated previously, each year a public hearing on program performance and needs is conducted at a regularly

scheduled City Council meeting specifically held to solicit citizen comments on approved activities as well as proposed activities.

DCHD staff will review all comments, complaints and suggestions received in assessing program performance and the extent to which projects and activities achieved their objectives. The results of these assessments will be taken into consideration in the planning and selection of future projects and activities proposed for Community Development funding.

- **Performance Reporting:** DCHD annually prepares a Consolidated Annual Performance and Evaluation Report (CAPER) that includes:
  - Activity Summary
  - Status of Funds
  - Direct Benefit Activities
  - Actions to Affirmatively Further Fair Housing (AFFH)
  - Anti-displacement

  This report also contains an assessment by DCHD of the relationship of the use of Community Development Block Grant funds to the Community Development Objectives described in the final Annual Action Plan.

  Upon completion of the CAPER, it is forwarded to the Area Office of the U.S. Department of HUD. Simultaneously, a Public Notice in English and Spanish shall be placed in a newspaper of general circulation and the City's web site making the Report available to citizens. It is available at no charge upon request at the Office of DCHD, and a digital copy will be made available at the City's public libraries.

## AVAILABLE INFORMATION

The City shall provide full and timely disclosure of its program records and information consistent with applicable laws and regulations regarding personal privacy and confidentiality. Copies of the following material shall be available for citizen review, upon request, during regular business hours, at DCHD, 801 Texas Avenue:

- All mailings and promotional material;
- The Citizen Participation Plan and schedules of public hearings;
- The records of DCHD public hearings;
- The proposed and approved annual action plan for the current year;
- The proposed and approved Consolidated Plan;
- All prior applications including letters of approval and grant agreements;
- All Performance Reports, Status Reports and other reports that may be required by HUD;
- Anti-Displacement Strategy and Tenant Relocation Assistance Policy; and
- Copies of the regulations governing the Community Development Program and documents on other important program requirements