

OVERLAND PARK

K A N S A S

ABOVE AND BEYOND. BY DESIGN.

Community Development Block Grant Program
CITIZEN PARTICIPATION PLAN



*CITY OF OVERLAND PARK, KANSAS
COMMUNITY DEVELOPMENT BLOCK GRANT
CITIZEN PARTICIPATION PLAN*

OVERVIEW

This Citizen Participation Plan (CPP) sets forth the City's policies and procedures for citizen participation in the use of Community Development Block Grants (CDBG). The Citizen Participation Plan provides an opportunity for the community to work in partnership with the City to identify needs and to provide advisory comments in the allocation of CDBG funds. The City encourages its citizens to participate in the development and periodic review of the Citizen Participation Plan, the development of the Consolidated Plan, and the review of annual performance report(s). To facilitate this involvement, the City will provide multiple opportunities for public participation, as outlined in this Citizen Participation Plan.

The goal of the Citizen Participation Plan is to encourage the participation of low and moderate income persons, particularly those living in blighted areas and in areas where CDBG funds are proposed to be used, as well as the participation of all interested community members, social service providers, and public agencies. The City encourages participation and will make accommodations for opportunities for participation to ensure full access to program information, including non-English speaking individuals or individuals with disabilities. .

CITIZEN PARTICIPATION PROCESS

A. Community-Wide Citizen Participation

The City Council shall provide for citizens' comment and input through various means:

1. Public Hearings
2. Public comment periods
3. CDBG Advisory Committee (CAC)

Public Hearings

The City Council will schedule at least two public hearings annually to obtain citizens' views on community development, non-housing and housing needs of the City, including program progress and performance. These hearings will be held at convenient times and locations which permit broad participation, particularly by low- and moderate-income persons. All public hearings will be held in buildings that are accessible to persons with disabilities. The following program information will be provided to citizens:

1. The total amount of CDBG funds available for community development and housing activity
2. The scope of activities that may be undertaken with CDBG funds
3. The procedures to follow to develop and approve the City's CDBG application
4. The schedule of meetings and hearings

5. The role of citizens in the program

In addition, a public hearing will be held when the nature of a program amendment is substantial as defined in this Citizen Participation Plan. This hearing shall be in addition to any required during the application process.

Citizens will be notified of public hearings through the following:

1. Legal Notice: Fourteen (14) days prior to each public hearing, a legal notice will be published in the official City newspaper. The notice will indicate the date, time, location and topics to be considered.
2. City of Overland Park Website: When requested, appropriate translation shall be provided at all public hearings at which a significant number of non-English speaking residents may be expected to participate.

Public Comment Periods

To solicit community input, a public notice establishing a public review and comment will be published in the official City newspaper prior to a the submittal of Consolidated Plans, Annual Action Plans, performance reports, or substantial amendments to HUD, or the amendment of the Citizen Participation Plan.

Citizens will be notified of these hearings through the following:

1. Legal Notice: Fourteen (14) days prior to each public hearing, a legal notice will be published in the official City newspaper. The notice will indicate the time period of the comment period, the locations that the document under review are available, and the method for submitting comments.
2. City of Overland Park Website: Documents for which public comment is sought will be posted on the City of Overland Park's website during the established comment period. When requested, appropriate translation shall be provided.

CDBG Advisory Committee (CAC)

1. *Duties:* The CAC is established in order to make recommendations to the City Council and to monitor the implementation and progress of all CDBG activities.
 - a. The CAC shall prepare and submit annually a recommendation regarding the use of CDBG funds. This recommendation shall be submitted to the City Council prior to the beginning of the funding year being considered. The City Council's Community Development Committee may request that the CAC reconvene to consider additional requests.
 - b. The CAC will review the progress of all CDBG planned activities; assess the CDBG program effectiveness in meeting local needs; and review and comment on proposed allocations of annual CDBG entitlements in order to make recommendation to the City Council.
2. *Membership:*

- a. CAC membership shall include, to the greatest extent possible, representatives from the following segments:
 - i. Low and moderate income residents
 - ii. City Wards designated as eligible low and moderate income areas
 - iii. Minorities
 - iv. Persons with disabilities
 - v. Elderly
 - vi. Interested residents
 - vii. Fair Housing Committee
 - viii. Homeowner Associations and Neighborhood Groups
 - ix. Social service organizations
 - x. Business development community
 - xi. Civic groups
 - xii. Citizens' Advisory Council on Parks and Recreation
 - xiii. Overland Park Arts Commission

All letters of application and all recommendations will be forwarded to the Mayor for consideration.

- b. The CAC shall be comprised of not less than 15 and not more than 20 members, who shall be appointed by the Mayor with the consent of the City Council. Members shall be appointed for terms of 3 years, commencing on January 1st or as soon thereafter as the appointments can be made. Appointments shall be so staggered so that no more than 6 members' terms shall expire in any one year. Members shall serve until their successors are appointed and qualified in the manner provided herein. Members shall serve without compensation.

Notwithstanding the above paragraph, for 2018 the Mayor shall appoint at least 5 members to a 1-year term, at least 5 members to a 2-year term and at least 5 members to a 3-year term in order to establish staggered terms.

- c. In order to provide continuity in the CAC's activities, CAC members will be encouraged to serve more than one term.
- d. The Mayor shall designate a chair and a vice-chair from the CAC membership. The chair shall preside at all meetings of the CAC. The chair may not make or second motions, but the chair may vote on all matters before the CAC. The vice chair shall preside in the chair's absence or in the event the chair otherwise relinquishes the chair.
- e. Vacancies
 - i. If a CAC member is absent for 2 out of 3 consecutive meetings, the CAC may declare to the Mayor and City Council the existence of a vacancy.

- ii. Vacancies shall be filled by appointment of the Mayor with the consent of the City Council for the remainder of the unexpired term of the CAC Member whose position has been vacated.

3. *Meetings:*

- a. Call and Notice - Meetings may be called by the chair or the Grant Program Coordinator as deemed necessary to fulfill the CAC's purpose and duties. Sufficient Notice shall be provided as required by the Overland Park Council Rules, Procedures and Protocol established for Plural Authorities.
- b. Quorum and Voting - A majority of the currently appointed CAC members shall constitute a quorum for conducting the business of the CAC. Matters can be passed by a simple majority of the CAC members present and voting.
- c. Work Session - The CAC may request a work session with the City Council's Community Development Committee for the purpose of preparing the annual application and establishing program parameters. This meeting shall be held early in the application process.
- d. All aspects of the CAC meetings and duties shall comply with the Overland Park Council Rules, Procedures and Protocol established for Plural Authorities; and the meetings shall also comply with the Kansas Open Meetings Act.
- e. All meetings of the CAC are open to the public. Information for upcoming meetings of the CAC shall be posted on the City's website.

4. *Staff Support:*

- a. The Grant Program Coordinator will provide direct staff support, with assistance from other staff members as needed. Staff will assist the CAC with all necessary notice and agenda requirements and by taking minutes for each CAC meeting and by keeping a file of the official records and reports.
- b. Staff will provide all CAC members a CDBG-CAC Workbook. The Workbook will contain: an application schedule; a summary of CDBG regulations; use of funds to date; the previous year's recommendation; previous CDBG applications; a current Citizen Participation Plan; and other relevant material.

5. *Conflict of Interest:* When a CAC member feels that he/she has a conflict of interest on a particular matter before the CAC, the member may so state for the record and temporarily vacate the member's chair. In such event, the member should not participate in the hearing or discussion and shall not vote on the issue.

B. Activities and Performance Report

Development of the Consolidated Plan (Five-Year Strategy)

In developing the Consolidated Plan and annual updates, the City is guided by two leading principles:

1. Customer Service: focussing program efforts on the most critical needs
2. Comprehensive Approach: achieving empowerment of individuals and families while ensuring long- term economic independence

Inherent in these principles is extensive, relevant, and ongoing citizen participation. The City believes it is essential to have widespread, meaningful participation throughout the planning process to ensure genuine community "ownership" of the Consolidated Plan.

The Consolidated Plan consists of three parts:

1. The needs assessment
2. A community development, non-housing and housing strategic plan
3. An Annual Action Plan.

The Consolidated Plan is updated every five years; and it identifies the community development, non-housing and housing strategic needs in the City, prioritizes the needs for funding, and prescribes a comprehensive strategy for addressing the needs. To maintain relevance, a One-Year Annual Action Plan is developed each year, which reflects annual CDBG funding allocations, and each year, which includes the following elements:

1. Dollar amounts proposed for each activity
2. A description and location of each activity
3. The entity responsible for implementation of each activity
4. Time frame for each activity

In all cases, the Consolidated Plan and the Annual Action Plan seek to minimize the displacement of residents from their homes or places of business.

The groups involved in the process of developing the Consolidated Plan and the Annual Action Plan include:

1. City Staff
2. CDBG Advisory Committee (CAC)
3. City Council
4. Citizens at large

The City will affirmatively publicize its Consolidated Plan, Annual Action Plan, and CAPER in publications circulated in non-English speaking communities when available, as well as English newspapers to outreach to all of the ethnic diversity of the City. Regular meetings and activities will be posted on the City website and at City Hall. Information may also be obtained by calling the City Manager's Office at City Hall or the Grants Program Coordinator at 913-895-6192.

City Council - The City Council will fulfill its role by holding public hearings and carrying out the procedures established in this Citizen Participation Plan. The City Council makes the final determination about the priority of various community needs that will then guide the City Council when annually allocating CDBG in the Annual Action Plan.

Plan Development - The City will implement the following strategies to solicit meaningful community input in preparation of the Consolidated Plan (Five-Year Strategy). Specifically, the City will:

1. Review past years performance with the CAC and discuss priority needs for upcoming years.
2. Consult public agencies, including City staff, adjacent local governments, economic development interests, and state and local health agencies.
3. Consult private agencies that provide health services, social services for children, services to the elderly, disabled, homeless, persons with AIDS, victims of domestic violence, and persons with alcohol/drug abuses, etc.
4. Conduct at least one public meeting during the development of the housing and community development needs assessment.

Citizen participation during the development of the Consolidated Plan will take place at the CAC meetings, which are open to the public. The citizens are invited to take an advisory role in policy formation regarding program implementation by attending the CAC meetings and making their views known. This will be made clear in all public announcements of the CAC meetings.

Plan Adoption - The following procedures will ensure that all citizens will have a chance to influence the final Consolidated Plan. Specifically, the City will:

1. Publish a notice announcing the 30-day public comment period and public hearing on the Draft Consolidated Plan. The notice will be published in the official City newspaper and includes a summary of the Draft Consolidated Plan that describes the contents and purpose and a list of the locations where copies of the Draft Consolidated Plan may be examined. The notice will be published at least fourteen (14) days prior to the public hearing.
2. The Draft Consolidated Plan will be available for public review at the following locations:
 - a. City Hall
 - b. Community Services office
 - c. Public Library
 - d. City website

Upon request, the Draft Consolidated Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft Consolidated Plan to citizens and groups that request copies.

3. The City Council will conduct a public hearing on the Draft Consolidated Plan.
4. At the end of the 30-day review period, the City Council will consider adoption of the Draft Consolidated Plan. The Draft Consolidated Plan will be adopted upon a majority vote of the City Council. After adoption of the Consolidated Plan, the final Consolidated Plan will be submitted to HUD. The final Consolidated Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the final Consolidated Plan.

Annual Action Plan

Plan Development - The City will implement the following strategies to solicit meaningful community input in preparation of the Annual Action Plan. Specifically, the City will:

1. Review past years performance with the CAC and discuss priority needs for the upcoming year.
2. Conduct one Public Hearing with the CAC to review the Draft Annual Action Plan.

Citizen participation during the development of the Annual Action Plan will take place at the CAC meetings, which are open to the public. The citizens are invited to take an advisory role in policy formation regarding program implementation by attending the CAC meetings and making their views known. This will be made clear in all public announcements of the CAC meetings.

Plan Adoption - The following procedures will ensure that all citizens will have a chance to influence the final Annual Action Plan. Specifically, the City will:

1. Publish a notice announcing the 30-day public comment period and public hearing on the Draft Annual Action Plan. The notice will be published in the official city newspaper and other papers, and includes a summary of the Draft Annual Action Plan that describes the contents and purpose and a list of the locations where copies of the Draft Plan may be examined. The notice will be published at least fourteen (14) days prior to the public hearing.
2. The Draft Annual Action Plan will be available for public review at the following locations:
 - a. City Hall
 - b. Community Services office
 - c. Public Library
 - d. City website

Upon request, the Draft Annual Action Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft Annual Action Plan to citizens and groups that request copies.

3. The City Council will conduct a public hearing on the Draft Annual Action Plan.
4. At the end of the 30-day review period, the City Council will consider adoption of the Draft Annual Action Plan. The Draft Annual Action Plan will be adopted upon a majority vote of the City Council. After adoption of the Plan, the Final Annual Action Plan will be submitted to HUD. The Final Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the Final Plan.

Consolidated Annual Performance and Evaluation Report

Within 90 days of the close of the program year, the City is required to submit the Consolidated Annual Performance and Evaluation Report (CAPER) to HUD. The CAPER describes how funds were used, outlines the program year accomplishments and shows the extent to which these funds were used for activities that benefited low and moderate income people.

Report Development - The City will implement the following strategies to solicit meaningful community input in preparation of the CAPER. Specifically, the City will:

1. Review past year performance with the CAC committee and discuss project performance.
2. Conduct one Public Hearing with the CAC to review the Draft CAPER.

Citizen participation during the development of the CAPER will take place at the CAC meetings, which are open to the public. The citizens are invited to take an advisory role in policy formation regarding program implementation by attending the CAC meetings and making their views known. This will be made clear in all public announcements of the CAC meetings.

Report Adoption - The following procedures will ensure that all citizens will have a chance to influence the final CAPER. Specifically, the City will:

1. Publish a notice announcing the 15-day public comment period and public hearing on the Draft CAPER. The notice will be published in the official city newspaper and other papers, and includes a summary of the Draft CAPER that describes the contents and purpose and a list of the locations where copies of the Draft CAPER may be examined. The notice will be published at least fourteen days prior to the public hearing.
2. The Draft CAPER will be available for public review at the following locations:
 - a. City Hall
 - b. Community Services office
 - c. Public Library
 - d. City website

Upon request, the Draft CAPER will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft CAPER to citizens and groups that request copies.

3. The City Council will conduct a public hearing on the Draft CAPER.
4. At the end of the 15-day review period, the City Council will consider adoption of the Draft CAPER. The Draft CAPER will be adopted upon a majority vote of the City Council. After adoption of the Plan, the Final CAPER will be submitted to HUD.

C. Amendments

The City may amend the adopted Consolidated Plan or the adopted Annual Action Plan. The following outlines the criteria and procedures to be used when amending the Consolidated Plan or the Annual Action Plan.

Substantial Amendment Criteria

Consolidated Plan (Five-Year Strategy) - The City will amend its approved Consolidated Plan whenever a decision is made to propose a substantial change in allocation priorities. For the purpose of the Consolidated Plan, a “substantial change” will constitute a change equal to or in excess of 25% of the City’s CDBG entitlement for a program year.

Changes in funding priority not amounting to more than 25% of a program year will not be considered a substantial change to the Consolidated Plan; and in such event, no formal amendment to the Consolidated Plan requiring public review and comment will be warranted. (For example, an amendment to the Consolidated Plan is needed if the five-year Strategy identifies only a low priority need for historic preservation, but during the five-year time frame the City decides to establish a CDBG-funded historic preservation program that amounts to more than 25% of the City's annual allocation.)

Annual Action Plan - The City will amend its approved Annual Action Plan whenever one of the following decisions is made:

1. To carry out an activity not previously described in the Annual Action Plan;
2. To cancel an activity previously described in the Annual Action Plan;
3. To increase the amount to be expended on a particular activity from the amount stated in the Annual Action Plan by more than 25%; or
4. To substantially change the purpose, scope, location, or beneficiaries of an activity.

Changes in funding for an existing activity (project) not amounting to more than 25% will not be considered a substantial change to the Annual Action Plan; and in such event, no formal amendment to the Annual Action Plan requiring public review and comment will be warranted.

Amendment Process

The following procedures will ensure that all citizens will have a chance to comment on the proposed amendment to the Consolidated Plan or the Annual Action Plan.

1. When necessary, a request for written concurrence is sent to the Project Manager at the Kansas City Field Office for the U.S. Department of Housing and Urban Development.
2. Proposed amendments are reviewed by the CAC at a regular or special meeting for its recommendation to the City Council.
3. Publish a notice of the 30-day public comment period on the proposed amendment to the adopted Consolidated Plan or the Annual Action Plan. The notice will be published and include a summary of the amendment and where copies of the proposed amendment may be examined.
4. The proposed amendment will be available for public review. Upon request, the amendment will be made accessible to any person with disabilities.
5. At the end of the 30-day review period, the City Council will conduct a public hearing and consider adoption of the amendment upon a majority vote of the City Council.
6. A copy of the approved amendment will be sent to the Kansas City Field Office for the U.S. Department of Housing and Urban Development.

Funding Processes not requiring Citizen Participation or Plan Amendment

Back-up Projects - The Annual Action Plan contains a list of projects to be funded for the program year with funding anticipated. During each program year, however, additional funding may become available as a result of program income, projects completed below budget, or projects canceled or delayed due to a variety of reasons. A list of various qualifying residential and commercial projects and public facility and infrastructure improvement projects may

therefore be included in the Annual Action Plan and approved by the City Council for funding as back-up projects. The City may activate these back-up projects at any time when funding becomes available. The City receives HUD approval for these back-up projects along with the approved and funded projects as part of its approval for the Annual Action Plan. Initiation and funding of these projects does not constitute a “substantial amendment”, as defined above.

Emergency Assistance Activities - Emergency Assistance Activities are those immediate activities typically involving a quick repair or temporary alleviation of a sudden emergency by performing work that would otherwise be considered ineligible. There are two types of interim assistance activities:

1. Emergency Interim Repairs – These activities are to prevent further deterioration of public improvements and facilities. Permanent improvements must be made as soon as practicable. Examples are: repairing streets, sidewalks, parks, playgrounds, utilities and public buildings and Neighborhood cleanup programs.
2. Alleviating Emergency Conditions which threaten public health and safety – These activities require a determination by a City Official that an emergency condition exists and requires immediate resolution. Examples include those listed above, except parks and playgrounds, and are limited to the extent necessary to alleviate the emergency.

Due to their emergency nature, interim assistance activities are exempt from the citizen participation, public hearing and legal noticing processes. The City Council (or its designee) may approve the funding after documenting the emergency nature of the activities. However, these projects are not exempt from Davis-Bacon wage rates. All interim assistance activities must still meet at least one of the national objectives of the CDBG Program to be eligible.

Citizen Participation Plan

The Citizen Participation Plan shall remain in effect until all projects and activities funded under Title I of the Housing and Community Development Act of 1987, as amended, are completed, or until it is amended or superseded by a new plan. This Citizen Participation Plan may be amended at any time.

The following procedures will ensure that all citizens will have a chance to comment on the proposed amendment to the Consolidated Plan or the Annual Action Plan.

1. Proposed amendments are reviewed by the CAC at a regular or special meeting for its recommendation to the City Council.
2. Publish a notice of the 15-day public comment period on the proposed amendments to the adopted Citizen Participation Plan. The notice will be published and include a summary of the amendments and where copies of the proposed amendment may be examined.
3. The proposed amendments will be available for public review. Upon request, the amendments will be made accessible to any person with disabilities.

4. At the end of the 15-day review period, the City Council will conduct a public hearing and consider adoption of the amendments upon a majority vote of the City Council.

D. CDBG Statement

A proposed statement of Community Development objectives and projected use of funds, to include proposed projects and activities with costs, shall be published prior to the grant application. This document shall be published in the manner as prescribed for public hearings. Citizens shall be given the opportunity to examine its content and to submit comments on the proposed statement.

The City shall consider any comments and views received and may, if deemed appropriate, modify the proposed statement. The final Statement of Community Development Objectives and Projected Use of Funds shall be made available to the public.

E. Affirmatively Furthering Fair Housing

Since the Assessment of Fair Housing (AFH) is a component of the Consolidated Plan, the citizen participation requirements for the Consolidated Plan applies. The City will solicit meaningful community input in the preparation of the AFH in the following ways:

1. Make any HUD-provided data and other supplemental information to be incorporated in the AFH available to the public;
2. Publish proposed documents related to the AFH in a manner that enables opportunity for a public review and comment period of not less than 30 days; and
3. Provide notice of public hearings in the same manner as the Consolidated Plan process.

F. Other Citizen and Neighborhood Participation

1. Neighborhood Groups and Homes Associations: Any existing neighborhood organization or homes association is invited to submit proposals or petition for a specific project to be funded through CDBG funds. The City also encourages input on all aspects of the CDBG program.
2. Street and Storm Drainage Improvement Petitions: The City will consider petitions where more than fifty percent of the property owners indicate the need for a storm drainage improvement district or street improvement district.
3. Community Groups: Any community group or social service organization is invited to submit comments on proposed projects or present proposals for new projects.

G. Program Records

A staff person will be present at all work sessions, public hearings and advisory meetings to record minutes. Minutes, program information and documents will be available for citizen review in the City's Community Services office.

H. Technical Assistance

Upon request, City staff will provide technical assistance in the preparation of proposals or the organization of neighborhood meetings.

I. Complaints

When a complaint is received regarding the Community Development Block Grant Program, it will be reviewed and referred to the appropriate person for response. The City will provide a written response to complaints within fifteen (15) working days.