

2020-2024 CITIZEN PARTICIPATION PLAN
FOR FEDERAL GRANTS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
CITY OF SAN MARCOS, TEXAS

I. GENERAL PROVISIONS

A. Applicability

Citizens shall be involved in the prioritizing and planning of Community Development Block Grant (CDBG) activities. The City of San Marcos (City) created this Citizen Participation Plan to meet the requirement that the City adopt and follow a Citizen Participation Plan (CPP) found in federal regulations 24 CFR 91.105 for CDBG-Entitlement, 81 FR 39687 for CDBG-DR Disaster Recovery and 84 FR 45838 for CDBG-MIT Mitigation, and any subsequent notices.

This CPP pertains to the creation and amendment of planning and implementation documents (“the documents”) related to any grant received from the U.S. Department of Housing and Urban Development (HUD) by the City of San Marcos, including the following: Five Year Consolidated Plan, CDBG-Entitlement Action Plan, CDBG-MIT Mitigation Action Plan, CDBG-DR Disaster Recovery Action Plan, Citizen Participation Plan, and the Consolidated Annual Performance Evaluation Report (CAPER).

B. Participation

The purpose of this CPP is to establish a means by which residents of the city of San Marcos, public agencies, and other interested parties can actively participate in the creation, implementation, and assessment of planning and implementation documents related to HUD grants.

The City encourages citizens, public agencies, and other interested parties to participate in the creation or amendment of any of the documents. This CPP is designed especially to encourage participation by low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods. The City will take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

C. Displacement

The City of San Marcos will conduct all of its Community Development activities to minimize the displacement of persons. In the unlikely event that any person is displaced by Community Development activities, the City of San Marcos will provide reasonable relocation assistance as allowed by law.

D. Information Available

1. Activities and Eligibility

In an effort to permit public examination and to enhance public accountability, the City of San Marcos will make the following information available to citizens, public agencies and other interested parties upon request:

- a. The amount of funds expected to be available for proposed Community Development activities,

- b. The range of eligible activities that may be undertaken with such funds, including the estimated amount that will benefit persons of low and moderate income, and
- c. The geographic areas which meet Community Development eligibility criteria.

2. Documents

The latest versions of the documents, will be available to the public at the San Marcos Public Library and City Hall. Upon request, these materials will be made available in a form accessible to persons with disabilities. The City will provide a reasonable number of free copies to citizens and local groups that request a copy.

3. 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 CDBG funds during the preceding five years.

4. Technical Assistance to Applicants

The City will provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in creating proposals for funding assistance under any of the programs covered by the Consolidated Plan.

E. Complaints

The City will provide a timely, substantive written response to every written citizen complaint related to the City's HUD Grants within 15 working days. Complaints may be submitted in writing to the attention of the Community Development Block Grant Division, Planning and Development Services Department, 630 East Hopkins Street, San Marcos TX 78666. Complaints may also be submitted by e-mail to cdbg@sanmarcostx.gov. For more information about filing a complaint, contact the CDBG program office at 512-393-8230.

Complaints regarding fraud, waste, or abuse of government funds will be forwarded the Department of Housing and Urban Development Office of Inspector General (Phone: 1-800-347-3735 or by Email: hotline@hudoig.gov).

F. Comment Periods

As part of creation or amendment of the documents, the City will provide a citizen comment period of at least 30 days after the draft document is available for review.

Notice of the comment period will be provided in English and Spanish by publication in a local newspaper and on the City's website at least 14 days before the start of the comment period and shall include the names and addresses of the locations where copies can be found for review.

During the comment period, copies of proposed documents will be available for viewing at the San Marcos Public Library, City Hall, and the San Marcos Activity Center. The City will provide a reasonable number of free copies of the proposed document to citizens and groups that request it. Upon request, these materials will be made available in a form accessible to persons with disabilities.

The City will consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the document. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the final document.

G. Public Hearings

1. The City will publish notice in English and Spanish of a public hearing before in the local newspaper and on the City's website at least 14 days before the hearing. The Notice shall include sufficient information about the subject of the hearing to permit informed comment.
2. Hearings shall be held at times and locations convenient to potential and actual beneficiaries.
3. Hearings shall be held with accommodation for persons with disabilities. Hearings will be held in facilities that are physically accessible to individuals with disabilities, or if that is not possible, the information will be provided through alternative methods that allow for the most integration possible. Individuals who require auxiliary aids and services for a meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000(voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be sent by e-mail to ADArequest@sanmarcostx.gov.
4. In the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate, materials to be handed out will be translated into Spanish, citizen comments written in Spanish will be translated, and a Spanish translator will be present.

H. Adoption

After the public hearing (when required) and discussion, City Council will adopt a Resolution approving the document. While the citizens of the City of San Marcos will provide input and direction for the creation of the documents, City Council will have the ultimate responsibility to determine how and where HUD Grant funds will be spent.

I. Non-Substantial Amendments

1. Definition

A Non-Substantial Amendment is hereby defined to be any amendment that is not included in the definitions of Substantial Amendments in this CPP.

2. Public Comment

The City is not required to receive public comment for an Action Plan amendment that is not considered a Substantial Amendment.

3. HUD Notification

The City will notify HUD of a Non-Substantial Amendment at least five business days before the amendment becomes effective.

II. CITIZEN PARTICIPATION PLAN

A. Comment Period

1. Required

As part of creation or amendment of the Citizen Participation Plan, a comment period as described in Section I.F. above is required; however, the number of days is reduced to a minimum of 15.

2. Public Notice

The notice announcing the comment period shall include a description of the purpose of the CPP as well as the other information described in Section I.F. above.

B. Timing

The Citizen Participation Plan will be evaluated every five years by City Council and will be revised as needed, then resubmitted as part of the Consolidated Plan.

III. CONSOLIDATED PLAN AND ANNUAL ENTITLEMENT ACTION PLAN CREATION AND SUBSTANTIAL AMENDMENT

A. Participation

The City encourages the participation of local and regional institutions, the Continuum of Care and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of creating and implementing the Consolidated Plan and Annual Entitlement Action Plan.

The City encourages, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments, in the process of creating and implementing the Consolidated Plan and Annual Entitlement Action Plans along with other low-income residents of targeted revitalization areas in which the developments are located.

B. Comment Period

1. Required

As part of Consolidated Plan or Annual Entitlement Action Plan creation or substantial amendment, a Comment Period as described in Section I.F. above is required.

2. Information Made Available

Before the City adopts a Consolidated Plan, Annual Action Plan, or substantial amendment, as part of the comment period, the City will make available to the public the following information:

- a. The amount of assistance the City expects to receive (including grant funds and program income), and
- b. The range of activities that may be undertaken, and
- c. The estimated amount that will benefit persons of low- and moderate income.

3. Summary Publication

As part of the comment period, the City will publish a summary of the proposed Consolidated Plan or Annual Action Plan or substantial amendment in the local newspaper and on the City's website. The summary will include the following:

- a. Description of the contents and purpose, and

- b. A list of locations where copies of the entire proposed Consolidated Plan or Annual Action Plan may be examined.

C. Public Hearing

The City shall hold at least one public hearing before City Council during the creation or substantial amendment of the Consolidated Plan or Annual Action Plan, before the proposed Consolidated Plan or Annual Action Plan is published for comment, to obtain the views of citizens on housing and community development needs, including non-housing community development needs, and the selection of proposed activities. The hearing will be held in accordance with the public hearing requirements as described in Section I.G. above.

D. Additional Step Required during Consolidated Plan Creation

To encourage ample citizen participation in HUD Grant programs, during the creation of the Five-Year Consolidated Plan, workshops and meetings will be held with local social service agencies, local government agencies, Neighborhood Associations, health care and assisted housing providers and City staff to receive input and information regarding the City of San Marcos' needs for the Plan's five-year period. The purpose of these workshops and meetings is to gather information and data on the community and economic development needs of the community.

E. Additional Steps Required during the CDBG Entitlement Annual Action Plan Creation

Per 24 CFR Part 91, the City of San Marcos is required to create an Annual Action Plan that details the projects to be undertaken with CDBG funds for the upcoming year. The following steps must be taken during the creation of the annual Action Plan:

1. Staff will conduct at least one stakeholder meeting before the application deadline. The meeting will be held at a time and location convenient to potential and actual beneficiaries and with accommodations for persons with disabilities.
2. Funding applications will be made available to the public. Staff will review the applications received by the application deadline for compliance and eligibility. If deficiencies in the application are found, the applicant will be notified in writing and provided ten days in which to correct the deficiencies.
3. All eligible applications will be submitted to the City Council for their review and consideration in determining which projects will be awarded funding.
4. Following the public hearing, Council will award the allocation for the program year.

F. Definition of Substantial Amendment

The following constitute a substantial amendment to the Five Year Consolidated Plan or the CDBG Entitlement Annual Action Plan:

1. The addition of a new project to the current Annual Action Plan, or
2. Any funding change to an existing project in excess of 10% of the annual allocation amount of the current program year, or
3. Changes in the use of grant funds from one eligible activity to another, or
4. Any change in the priorities of the Five Year Consolidated Plan.

G. Timing

The Consolidated Plan is due to HUD in August every five years (2020, 2025, etc). The Annual Action Plan is due to HUD in August every year.

IV. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER)

A. Comment Period

1. Required

As part of annual CAPER process, a comment period as described in Section I.F. above is required; however, the number of days is reduced to a minimum of 15.

2. Public Notice

The notice announcing the comment period shall include a list of the contents and description of the purpose of the CAPER as well as the other information described in Section I.F. above.

B. Public Hearing

The City shall hold at least one public hearing before City Council after publication of the above public notice and conclusion of the comment period, to review program performance and to obtain citizen comments and input for the direction of the CDBG Entitlement programs. The hearing will be held in accordance with the public hearing requirements as described in Section I.G. above.

C. Timing

The CAPER is due to HUD annually in December, at most ninety days after the program year ends September 30.

V. CDBG-DR DISASTER RECOVERY AND CDBG-MIT MITIGATION ACTION PLAN CREATION AND SUBSTANTIAL AMENDMENT

A. Comment Period

1. Required

- a. CDBG-DR - As part of the creation or amendment of the CDBG-DR Disaster Recovery Action Plan, a comment period as described in Section I.F. above is required; however, the number of days is reduced to a minimum of 14.
- b. CDBG-MIT - As part of the creation or amendment of the CDBG-MIT Mitigation Action Plan, a comment period as described in Section I.F. above is required; however, the number of days is increased to a minimum of 45

2. Document Publication

Before adopting a CDBG-DR or CDBG-MIT action plan or substantial amendment, the City will publish the proposed action plan or amendment in the following manner:

- a. The action plan or amendment must be prominently posted on the City's official website
- b. The topic of disaster recovery or mitigation (as applicable) must be navigable by citizens from the City's homepage

B. Public Hearing

1. Required

- a. CDBG-DR - The City shall hold at least one public hearing before City Council during the creation or substantial amendment of a CDBG-DR Action Plan, before the proposed Action Plan is published for comment, to obtain the views of citizens on disaster recovery needs and the selection of proposed activities. The hearing will be held in accordance with the public hearing requirements as described in Section I.G. above.
- b. CDBG-MIT - The City shall hold at least two public hearings in the HUD-identified Most Impacted and Distressed Areas during the creation or substantial amendment of the CDBG-MIT Mitigation Action Plan. At least one of these public hearings must occur prior to the City's publication of the action plan on its website. Each hearing must be convened at different locations within the Most Impacted and Distressed Area in locations that ensure geographic balance and maximum accessibility. The purpose of the hearings is to obtain citizen's views and to respond to proposals and questions. The hearings will be held in accordance with the public hearing requirements as described in Section I.G. above.

C. Information Available

1. In General

During the active term and record retention period of the CDBG-MIT and CDBG-DR grants, the City will provide citizens and other interested parties with reasonable and timely access to information and records relating to the action plan and to the grantee's use of grant funds. Information will be made available in a form accessible to persons with disabilities and those with limited English proficiency, upon request.

2. Amendments (Substantial and Non-Substantial)

- a. As they occur, all amendments will be numbered sequentially and posted on the public website. Copies of amendments will be available upon request to: cdbg@sanmarcostx.gov or 512-393-8230.
- b. The most current version of the entire action plan for CDBG-DR and CDBG-MIT will be accessible for viewing as a single document for each. Each amendment will be highlighted as a change in the document.
- c. At the time of each amendment the following information will be provided separately:
 - i. The exact content that has been added, deleted, or changed; and
 - ii. A revised budget allocation table that reflects all funds and illustrates where funds are moving from and to; and
 - iii. A description of how the amendment is consistent with the needs assessment document that was used to draft the grant's Action Plan.

D. Public Webpages

The City shall maintain public websites (or a combined public website) which provide information on how CDBG-DR and CDBG-MIT funds are used, managed, and administered. The following items shall be available on the Disaster Recovery webpage (<http://www.smtxfloodrecovery.com/>) and the Mitigation

webpage (<https://sanmarcostx.gov/mitigation>) and upon request from the City in accordance with open records procedures:

1. The action plan and all amendments
2. Performance reports
3. Citizen participation requirements
4. Information about activities, projects, and programs described action plans
5. All executed contracts that will be paid with grant funds
6. Procurement policies and procedures
7. The status of services or goods currently being procured

E. Definition of Substantial Amendment

1. CDBG-DR - The following constitute a substantial amendment to the CDBG-DR Disaster Recovery Action Plan:
 - a. A change in program benefit or eligibility criteria; or
 - b. The addition or deletion of an activity; or
 - c. The allocation or reallocation of more than \$1 million between activities.
2. CDBG-MIT - The following constitute a substantial amendment to the CDBG-MIT Mitigation Action Plan:
 - a. The addition of a CDBG-MIT Covered Project, or
 - b. A change in program benefit or eligibility criteria, or
 - c. The addition or deletion of an activity, or
 - d. A new allocation or reallocation of more than 25 percent of an activity in the Program Budget.

F. CDBG-MIT Citizen Advisory Group

The City will form one citizen advisory committee that will meet at least twice annually in order to provide increased transparency in the implementation of the CDBG-MIT funds, to solicit and respond to public comment and input regarding the City's mitigation activities, and to serve as an on-going public forum to continuously inform the City's CDBG-MIT projects and programs.

G. Application Status and Transparency.

1. For applications received for CDBG-MIT or CDBG-DR assistance, the City will provide multiple methods of communication to provide applicants with timely information to determine the status of their application for assistance, including by phone, by mail, and in person.
2. When competitively awarding CDBG-MIT or CDBG-DR funds, the City will publish on the applicable website the following information:
 - a. Eligibility requirements for the funding, and

- b. All criteria to be used by the City in the selection of applications for funding, including the relative importance of each criterion, and
- c. The time frame for consideration of applications.

The City will maintain documentation to demonstrate that each funded and unfunded application was reviewed and acted upon by the City in accordance with the published eligibility requirements and funding criteria.

