
Citizen Participation Plan

Citizen Comment on Citizen Participation Plan

This City Fiscal Year 2020 (Program Year 2019) Citizen Participation Plan was amended (see below) in response to COVID-19 and was made available for public comment. This Citizen Participation Plan will be incorporated into the *City Fiscal Year 2021 (Program Year 2020) Annual Action Plan*.

The Division of Housing and Community Development (DHCD) believes that citizen participation and planning are central to the success of neighborhood revitalization efforts. Because of limited resources, government's direct impact on a neighborhood will always fall short of its needs. A neighborhood revives when its residents are confident that it can improve. Residents then contribute their time, energy and finances to the process. Such confidence will grow from direct involvement in revitalization programs sponsored by government and the private sector. Accordingly, DHCD adopts the following Citizen Participation Plan as part of its *Consolidated Plan* and *Annual Action Plan* and sets forth the City's policies and procedures for citizen participation.

Encouragement of Citizen Participation

DHCD encourages citizen participation in its housing and community development program – including in the development of the Assessment of Fair Housing (AFH), any revisions to the AFH, the development of the *Consolidated Plan* and *Annual Action Plan*, substantial amendments to the *Consolidated Plan* and *Annual Action Plan*, and the *Consolidated Annual Performance and Evaluation Report* – in a variety of ways. (In the context of this plan, “citizen” refers to any member of the public wishing to provide input to DHCD.) As required, DHCD takes appropriate actions to encourage the participation of all residents, including low- and moderate-income persons, particularly those living in revitalization areas, slums and blighted areas and in areas where CDBG funds are proposed to be used, minorities, non- English speaking persons, persons with disabilities and residents in general of predominantly low- and moderate- income neighborhoods.

DHCD also encourages the participation of local and regional institutions, Continuums of Care, and other organizations, including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations in the process of developing and implementing the AFH, the *Consolidated Plan* and the *Annual Action Plan*.

DHCD, in conjunction with the Philadelphia Housing Authority (PHA), encourages the participation of residents of public and assisted-housing developments, including any resident advisory boards, resident councils and resident management corporations in the process of developing and implementing the AFH,

the *Consolidated Plan* and the *Annual Action Plan*, along with other low-income residents of targeted revitalization areas in which the developments are located. DHCD provides information to PHA about the AFH, strategy to Affirmatively Further Fair Housing (AFFH), *Consolidated Plan* and *Annual Action Plan* activities related to its developments and surrounding communities so that PHA can make this information available at the annual public hearing required for the PHA Plan.

To encourage citizen participation, DHCD funds a network of Neighborhood Advisory Committees (NACs) to serve residents of low- and moderate- income areas by coordinating City services, conducting block surveys, promoting CDBG-funded programs, preparing neighborhood plans, and commenting on proposed housing and community development projects. NAC service areas by and large track those areas with minority concentration and low- and moderate-income concentration. Similarly, the Commerce Department funds neighborhood-based business associations located in key target areas for investment.

DHCD further promotes citizen involvement in its program by producing press releases, blog posts and social media posts, as well as encouraging citizens to sign up for a mailing list that as of April 2020 had approximately 2,000 persons on it. In addition, public hearings are held as described below and a *Proposed Consolidated Plan* and/or *Proposed Annual Action Plan* is published in order to elicit public input and comment. Those hearings and those Plans are publicized through ads in a newspaper of general circulation, e-mails to the mailing list, the DHCD website and social media.

Language Access Needs

In 2015 the citizens of Philadelphia voted to approve an amendment to the Philadelphia Home Rule Charter requiring City agencies to develop and implement a Language Access Plan. In May 2016 Mayor Jim Kenney issued an executive order launching Language Access Philly, a city-wide program designed to bridge the access gap by making it easier for residents with Limited English Proficiency (LEP) to obtain essential public information and services. The executive order also identified the Office of Immigrant Affairs, formerly known as the Mayor's Office of Immigrant and Multicultural Affairs, as the lead agency for the development and implementation of Language Access Plans. Under the guidance and direction of the Office of Immigrant Affairs, and by analyzing Limited English Proficiency data provided by HUD, DHCD assessed the language needs of non-English-speaking residents in Philadelphia, developed its Language Access Plan, and has identified and is implementing reasonable steps to provide language assistance, including translation of notices and other vital documents, to ensure meaningful access and participation.

Development of Assessment of Fair Housing

As soon as is feasible after the start of the public participation process, DHCD makes HUD-provided data and any other supplemental information DHCD plans to incorporate into its AFH available to residents, public agencies and other interested parties. This data, or links to other websites containing this data, will be on the DHCD website.

To obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs, at least one public hearing will be held before the proposed AFH is published for comment.

DHCD will publish a Proposed AFH for review and comment by residents, public agencies and other interested parties. The contents of the Proposed AFH will be briefly summarized and its availability is advertised in a newspaper of general circulation, as required by regulation. Copies of the Proposed AFH will be made available to citizens on the DHCD website, at selected public libraries and a reasonable number of copies are available for free directly from DHCD. In addition to the newspaper ad, the availability of the Proposed AFH will be publicized on the DHCD website, via an e-mail to DHCD's electronic mailing list and through social media.

Prior to preparing a Final AFH, DHCD will consider any comments or views of residents of the community received in writing or orally at the public hearings. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why will be included in or attached to the Final AFH.

Revising an Accepted AFH

Under federal regulations, the Citizen Participation Plan must specify the criteria the City will use for determining when to revise an accepted AFH.

Guidelines for Revising an Accepted AFH

In compliance with federal requirements, the criteria for revisions to an accepted AFH are when:

- a material change¹ occurs;
- upon written notification from HUD specifying a material change that requires the revision.

When a revision due to a material change is required, it will be submitted to HUD within 12 months of the onset of the material change, unless HUD specifies a later deadline. When HUD has provided written notification specifying a material change that requires a revision, HUD will specify a date by which the revision must be submitted.

¹ A material change is a change in circumstances in the city that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances.

Whenever a revision to an accepted AFH is proposed, the City will follow the notice and comment process applicable to *Annual Action Plan* substantial amendments.

If comments or views are received, they will be considered before revising the AFH. If the City deems appropriate, it will modify the proposed revisions. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the revision.

Development of *Consolidated Plan* and *Annual Action Plan*

DHCD follows a public engagement process that provides the public with multiple opportunities to review and comment during the development of the *Consolidated Plan* and *Annual Action Plan* prior to submission to HUD.

Needs Assessment

Prior to developing its *Consolidated Plan* or *Annual Action Plan* DHCD holds a hearing to solicit comment on the previous year's performance and the housing and community development needs in Philadelphia. This hearing will be advertised in a newspaper of general circulation and publicized on DHCD's website, via an email to DHCD's electronic mailing list and through social media. The ad in the newspaper will note the availability of the *Consolidated Annual Performance and Evaluation Report*, or *CAPER*, which outlines the previous year's performance.

Proposed Consolidated Plan or Annual Action Plan

DHCD makes available every five years a *Proposed Consolidated Plan* and each year a *Proposed Annual Action Plan* for review and comment by residents, public agencies and other interested parties. The *Annual Action Plan* includes the amount of assistance that the City expects to receive (including grant funds and other income), the range of activities that the City proposes to undertake, including the estimated amount that will benefit persons of low and moderate income. The City's Relocation Plan, which sets forth the City's plan to minimize the displacement of persons and to assist any persons displaced, even if the City expects no displacement to occur, is also included. This information is made available prior to a public hearing (see below) on the DHCD website and in other locations (see below).

The contents of the *Proposed Consolidated Plan* and/or *Proposed Annual Action Plan* are briefly summarized and its availability is advertised in a newspaper of general circulation, as required by regulation. Copies are made available to citizens on the DHCD website. In addition to the newspaper ad, the availability of the *Proposed Consolidated Plan* and/or *Proposed Annual Action Plan* is publicized on the DHCD website, via an e-mail to DHCD's electronic mailing list and through social media.

DHCD provides a period for public comment of not less than five calendar days for *Annual Action Plan 2020-2021* and not less than 30 days for subsequent *Annual Action Plans* following the publication of the

Proposed Plan(s). During this period Philadelphia City Council holds a public hearing to obtain citizen input into the *Consolidated Planning* process and as part of the process to pass the ordinance – to which the *Consolidated Plan* or *Annual Action Plan* is an attachment – authorizing the City to apply to HUD for CDBG, HOME and other funding.

Public notice is provided consistent with City Council’s own rules regarding public notice for public hearings. Comments offered during the comment period and at this hearing are incorporated into the *Final Consolidated Plan* and/or *Final Annual Action Plan*.

Final Consolidated Plan or Final Annual Action Plan

Prior to preparing a *Final Consolidated Plan* or *Final Annual Action Plan*, DHCD will consider any comments or views of residents of the community received in writing or orally at the public hearings. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why will be included in the *Final Consolidated Plan* or *Final Annual Action Plan*.

Amendment Policy

Under federal regulations, the Citizen Participation Plan must specify the criteria the City will use for determining what changes in the City’s planned or actual activities constitute a substantial amendment to the *Annual Action Plan*. The City realizes these requirements ensure that the public is informed of decisions that would affect them and give citizens adequate opportunities for review and comment.

Annual Action Plan Substantial Amendment Guidelines

In compliance with federal¹ requirements, the criteria for a substantial amendment to the *Annual Action Plan* are when:

- the City decides not to carry out an activity originally described in the *Annual Action Plan*;
- the City decides to carry out a new activity or an activity not specifically identified in the *Annual Action Plan*;
- there is a substantial change in the purpose of an activity, that is, a change in the type of activity or its ultimate objective. For example, an amendment would be required if a construction project originally designed to be residential is ultimately proposed to be commercial;
- there is a substantial change in proposed beneficiaries, such as a change in income, area benefit or limited clientele;
- there is a change in the use of CDBG funds from one eligible activity to another;
- there is a reduction of greater than twenty-five percent (25%) of total activity category funding.

¹ For purposes of local regulations, “activity” is defined here as a program, such as Basic Systems Repair Program, or a budget category, such as Interim Construction Assistance, if there is no program identified under the budget category.

Other situations could also arise that involve a substantial change to a proposed activity. In such cases, the City will amend its *Annual Action Plan* to ensure that citizens are informed of proposed changes and to allow for public input.

Whenever an amendment to the *Annual Action Plan* or the Citizen Participation Plan is proposed, the City will publish notice of it in a newspaper of general circulation and guidance as to where it may be reviewed. A minimum of five calendar days will be provided for the public to comment in writing for an amendment to *Annual Action Plans 2019-2020* and *2020-2021* and a minimum of 30 calendar days for subsequent *Annual Action Plans*. The newspaper notice will indicate that if no comments are received, the City will proceed with adoption of the amendment without further notification. The notice will also state that the public may receive a copy of the finalized amendment upon request.

If comments or views are received, they will be considered before adopting the amendment. If the City deems appropriate, it will modify the proposed amendment. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the substantial amendment.

The City will submit a description of the adopted amendments to HUD. If comments have been received, the City will publish notification of the availability of the finalized amendment in a newspaper of general circulation. This notification will state that the public may receive a copy of the adopted amendment upon request.

Local regulations additionally require that the CDBG Plan (now part of the *Annual Action Plan*) must be amended when the City proposes any change or changes that alone or in combination with previous changes amount to 10 percent or more in their cumulative effect on the allocation of any year's CDBG program funds or when new sources become available. This may occur when the City proposes to use the funds to undertake one or more new activities or proposes to alter the stated purpose, location or class of beneficiaries of previously authorized activities. In this situation, the City will provide notice of the proposed amendment to the individuals and organizations on DHCD's electronic mailing list, publish notice of the proposed amendment in a newspaper of general circulation, guidance as to where it may be reviewed, and a means of submitting written comments. The newspaper notice will indicate that if City Council adopts the amendment in the form of a resolution as submitted, it will be adopted without further notification. The notice will also state that the public may receive a copy of the final resolution (amendment) upon request.

City Council will schedule a public hearing to allow for citizen participation. Notice of public hearings held by City Council will be in accordance with Council's public notice requirements. If the City is unable to hold open public hearings in person, the City will be allowed to hold virtual public hearings at which the public will be able to comment.

If the amendment is approved by City Council as submitted, it will be adopted after the hearing. If the hearing results in a revision that is ultimately adopted by City Council, the City will publish notification of

the availability of the revised amendment in a newspaper of general circulation. This notification will state that the public may receive a copy of the finalized amendment upon request.

The City will submit a description of the adopted changes to HUD.

Cancellation of a Proposed Amendment

If the City decides not to finalize a proposed amendment, it will advertise its intention to cancel the proposed amendment in a newspaper of general circulation.

Consolidated Annual Performance and Evaluation Report

DHCD publishes annually a *Consolidated Annual Performance and Evaluation Report (CAPER)*, and makes a draft of the report available for citizen review and comment. The contents of the draft *CAPER* are briefly summarized and its availability advertised in a newspaper of general circulation, as required by regulation. Copies of the *CAPER* are made available to citizens on the DHCD website, at selected public libraries and a reasonable number of copies are available for free directly from DHCD. In addition to the newspaper ad, the availability of the *CAPER* is publicized on the DHCD website, via an e-mail to DHCD's electronic mailing list and through social media. DHCD provides a period of public comment of not less than 15 calendar days following the publication of the draft *CAPER*. DHCD considers any comments received in writing, or orally at public hearings, in preparing the *CAPER*. A summary of comments received or views is attached to the *CAPER*.

Public Hearings

DHCD and/or City Council holds at least two public hearings a year*, each at a different stage of the program year, to obtain residents' views and to respond to proposals and questions. At least one hearing is held prior to publishing the *Proposed Consolidated Plan* or *Proposed Annual Action Plan* to obtain the views of residents on housing and community development needs and actions for affirmatively furthering fair housing consistent with the AFH and to review past program performance. At least one hearing to consider the development of proposed activities and proposed strategies is held in City Council after the publishing of the *Proposed Consolidated Plan* or *Proposed Annual Action Plan* and the submission of the *Plan(s)* to City Council. This hearing is held as part of City Council's adoption of the ordinance that authorizes the City to apply for funding.

To obtain the views of the community on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs, the City will hold at least one public hearing before the proposed AFH is published for comment.

* These hearings do not include any hearings related to the AFH, which is produced on a different, five-year schedule.

Each hearing is advertised in a newspaper of general circulation, as required by regulation. In addition to the newspaper ad, notice of the hearing is publicized on the DHCD website, via an e-mail to DHCD’s electronic mailing list and through social media. Hearings are held at times and places convenient to actual and potential beneficiaries and that are accessible to persons with disabilities. Upon request, DHCD provides translators for its public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

DHCD and City Council hearings may be held in a virtual format. Instructions as to how the public may comment will be provided.

Access to Local Meetings

DHCD will provide at least two weeks’ notice of DHCD-sponsored public hearings and public meetings that are part of the Consolidated Planning process. Notice of hearings held by City Council will be in accordance with Council’s public notice requirements. At least one of any series of hearings or meetings will be held at a location that is accessible to physically disabled persons.

Availability to the Public and Access to Information

DHCD is committed to providing citizens, community organizations, public agencies and other interested parties with the opportunity to review information and records relating to the *Consolidated Plan* and *Annual Action Plan* and DHCD’s use of assistance under the programs. Copies of the *Consolidated Plan* and *Annual Action Plan* as adopted, the HUD-accepted AFH and the *Consolidated Annual Performance and Evaluation Report* are placed in the Government Publications departments of the Central, South Philadelphia, Northeast Regional, Northwest Regional and West Regional branches of the Free Library of Philadelphia and are available online at www.phila.gov/dhcd. Copies of revisions to the AFH and *Annual Action Plan* substantial amendments are available from DHCD. Sections of these documents will be translated into other languages or into other media upon request, including into forms accessible to persons with disabilities. Citizens and citizen groups will have access to public records for at least five years, as required by regulation.

Access to Records

DHCD provides residents of the community, public agencies and other interested parties with reasonable and timely access to information and records relating to the AFH, the *Consolidated Plan* and the *Annual Action Plan* and to the use of assistance under the programs covered by the Plan for the preceding five years.

Technical Assistance

DHCD participates in a structured program of technical assistance to help neighborhood-based organizations and other groups representative of persons of low- and moderate-income participate in housing and community development programs. This program of technical assistance may include information about commenting on the AFH and in developing proposals for funding assistance under any of the programs covered by the *Annual Action Plan*. In addition, DHCD funds citizen participation in income-eligible areas of the City through the NACs and similar community-based nonprofit organizations.

Citizen Complaints

DHCD considers all resident complaints on the *Consolidated Plan, Annual Action Plan*, any amendments, the AFH, any revisions and the annual performance report. Where practicable, DHCD will provide a written answer to written complaints within 15 working days. If not practicable, DHCD and its delegate agencies will respond within 15 working days, stating the reasons for the delay.