

**THE CITY OF FREDERICK
MAYOR AND BOARD OF ALDERMEN**

RESOLUTION NO: 20-14

A RESOLUTION concerning

Amendment to the Citizen Participation Plan for the Consolidated Plan 2015-2019

BACKGROUND

The City of Frederick receives an annual Community Development Block Grant (CDBG) award from the U.S. Department of Housing and Urban Development (HUD). In connection with such funding, and pursuant to certain requirements imposed by federal law, the Board of Aldermen on April 21, 2016 via Resolution No. 16-08 adopted a Citizen Participation Plan for the 2015-2019 Consolidated Plan. The Citizen Participation Plan serves as a guide for outreach efforts, promoting civic involvement and building a sense of community. It sets forth a review process to insure broad-based participation from citizens, affordable housing advocates, homeless service providers, and community development agencies on housing and community development initiatives, funding priorities, and program changes.


In order to prevent the spread of COVID-19 and mitigate the economic impacts caused thereby, HUD has waived certain requirements to allow for alternative hearing formats such as virtual meetings and a reduced public comment period. The Board of Aldermen wishes to amend the 2015-2019 Citizen Participation Plan accordingly.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF FREDERICK, That the Citizen Participation Plan adopted by Resolution No. 16-8 is hereby amended. The amended plan is attached hereto as Exhibit A and incorporated herein by this reference.

ADOPTED AND APPROVED THIS 2ND DAY OF JULY, 2020.

WITNESS




_____ **Michael C. O'Connor, Mayor**

APPROVED FOR LEGAL SUFFICIENCY:


_____ **City Attorney**

March 2015

Citizen Participation Plan

This Citizen Participation Plan outlines the public participation process that will be used by the City of Frederick Maryland in the planning and implementation of housing and community development programs and activities included within a Consolidated Plan. This process is undertaken in accordance with U.S Department of Housing and Urban Development (HUD) regulations found in 24 CFR Part 91. It is an essential component of Frederick's Consolidated Plan. The programs included in the Consolidated Planning process are the U.S Department of Housing and Urban Development (HUD) Community Development Block Grant Program, other federal, state, local and private sector activities and programs addressing housing and community development needs within the City of Frederick.

The overall goal of community planning and development programs covered by HUD's consolidated planning rule in 24 CFR Part 91 is to develop viable urban communities by providing decent housing and a suitable living environment and expanding economic opportunities principally for low and moderate income persons. Citizens of Frederick are encouraged to participate in the development of housing and community development programs. This participation is of great use to the City in identifying needs, developing priorities and assessing the effectiveness of ongoing activities and programs.

Participation by low and moderate-income persons, residents of blighted areas, residents of predominantly low and moderate-income neighborhoods and of public housing, by minorities, by non-English speaking persons, and by persons with disabilities is especially encouraged. When the Planning and Community Development Department is notified that a significant number of non-English speaking persons are interested in participating in a community development meeting translation assistance will be provided.

The City of Frederick will provide citizens, public agencies, and other interested persons with reasonable and timely access to information and records relating to housing and community development plans and programs and the use of housing and community development funds. There will be open access to all meetings. Documents related to Frederick housing and community development programs will be made available to citizens upon request. Information will also be available to the public through, the City of Frederick web page, brochures, news media and will be available at City Hall.

Persons who have a concern or complaint on housing or community development programs should contact the City of Frederick Department of Planning and Community Development, 140 West Patrick Street, Frederick, MD. Phone 301-600-1499. Persons making telephone calls will be provided a verbal or written response as determined by the Department. Persons submitting written complaints will be provided written responses within 15 working days, where practicable.

July 2, 2020 AMENDMENT TO CITIZEN'S PARTICIPATION PLAN

HUD issued a memo on March 31, 2020 regarding Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to

Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19.

These waivers allow for alternative hearing formats (i.e., virtual meetings) and reduced public comment period of 5 days. Waivers 8 and 9 under Consolidated Plan Requirements apply as waiver 8 regarding Citizen Participation Public Comment Period for Consolidated Plan Amendment and waiver 9 is Citizen Participation Reasonable Notice and Opportunity to Comment. The waiver language is provided as an attachment at the end of this plan. In accordance with HUD's direction, this Citizen Participation Plan has been amended with the waivers as noted below under "Public Meetings," "Location," and "Public Comment" sections of this plan.

The Citizen Participation Plan is revised as follows:

- Include virtual public hearings as an allowed method for citizen participation;
- Update the types of declared disasters or emergency events to include terrorism and infectious diseases, such as the recent Coronavirus 19 (COVID-19) pandemic, that may necessitate expedited substantial amendments;
- Provide details on possible actions, including reprogramming of funding and types of possible activities, that may be undertaken in response to the COVID-19 pandemic;
- Include provisions relative to Annual Action Plan, Consolidated Plan, Citizen Participation Plan, and Community Development Block Grant (CDBG) waivers made available under the Coronavirus Aid, Relief, and Economic Security (CARES Act);
- Make minor edits that do not change current citizen participation policies.
- Public comments may be submitted via [email ebarnhard@cityoffrederickmd.gov](mailto:ebarnhard@cityoffrederickmd.gov) or by leaving a voice mail at 301-600-2842.

Proposed amendments to Plans will be made available for viewing on the City's website: www.cityoffrederick.com

Plan Development

The City's Department of Planning - Community Development Division will be the lead agency for developing Frederick's Consolidated Plan, Annual Action Plan and Consolidated Annual Performance and Evaluation Report (CAPER).

The process for the development of the five-year Consolidated Plan shall be as follows:

- The Department will consult with appropriate City, County and State departments and agencies and with housing, community development and human services organizations, neighborhood organizations and the public at large to compile the background data, to assess and prioritize needs and to develop a Strategic Plan element including specific objectives.
- The Department may obtain the required information by mail and or e-mail survey, interviews with departments and agencies and organizations working in housing and community development and will hold at least one public hearing to seek input on housing and community development needs and possible activities and programs for the planning period. Notice of date time and place of the meeting will be given in a newspaper of general circulation within the City at least two weeks prior to the meeting date.
- Before The City of Frederick adopts a Consolidated Plan or Annual Action Plan, it will

make available to citizens, public agencies and other interested parties, information which includes the estimated amount of funds the City expects to receive and the range of community development and affordable housing activities that may be undertaken, including the amount that will benefit very low- and low-income persons. This information will be included in the proposed Consolidated Plan. Information will also be included regarding the City's plans to minimize displacement of persons and to assist any person(s) displaced. Citizens and organizations will be invited to submit specific proposals for review by the Department for inclusion in the Action Plan

- The Department will provide technical assistance to groups that are representative of persons of low and moderate income in developing proposals for funding. The level of assistance to be determined by the Department based on available staff resources. This assistance will not guarantee the provision of funds to the groups.
- The Department shall be responsible for determining if a proposal for an activity is eligible for inclusion in the Annual Action Plan in light of 1) the criteria for meeting a National Objective of the CDBG Program, 2) eligibility requirements for activities under HUD regulations, and 3) the specific objectives of the Consolidated Plan.
- The Department will be responsible for evaluating proposals considered for inclusion in the Annual Action Plan and may employ ad hoc advisors consisting of persons knowledgeable of housing and community development programs to assist in this evaluation of proposals. The public will be given an opportunity to make comments to the Department and ad hoc advisors on all proposed projects and programs at one or more public meetings for that purpose. Notice of the date, time and place of the meeting(s) shall be given in a newspaper of general circulation within the City at least five day (5) prior to the meeting(s) date and will be held virtually. <https://www.cityoffrederickmd.gov/CivicAlerts.aspx?AID=6143>
- The Department will propose an Annual Action Plan with funding levels for projects and programs and recommend that plan to the Mayor and Aldermen. Public notice will be given that the plan is available for review and comment no less than 5 days prior to adoption. The notice will summarize the contents and purposes of the plan, locations where the plan is available for review, and how to obtain a copy of the proposed plan. The recommended Plan will be available to persons interested in housing and community development, made available at City Hall, on the City's website, and distributed by other available methods.

Mayor and Board of Aldermen Adoption

Prior to the adoption of a five-year Consolidated Plan, Annual Action Plan, and/or substantial amendment, there will be a 5-day period for public comments. The Mayor and Board of Aldermen will hold a public hearing on the proposed plan/amendment during this comment period. After the 5 -day comment period, the Mayor and Board of Aldermen will consider any comments or views of its citizens received in writing, or orally at the public hearings on the Consolidated Plan, Action Plan, or substantial amendment. The City will attach to the final submission of the Consolidated Plan, Annual Action Plan, or substantial amendment a summary of these comments or views, and a summary of any comments or views not accepted and the reasons why.

Plan Amendments

The City of Frederick may amend its Consolidated Plan as the need arises. Any substantial amendments to the Consolidated Plan or Action Plan will provide for a 5-day public comment period. Citizens will be provided with reasonable notice and an opportunity to comment on the proposed amendment.

Notice of the proposed amendment, a summary of its contents, the instructions on how to receive a copy of the amendment, and the final date for submission of written comments will be published in a newspaper of general circulation within the City at least 30 days prior to the Mayor and Board of Aldermen meeting at which the change will be considered. Copies of the proposed amendments will be made available at City Hall, on the City's website, and distributed by other available methods.

The following criteria will be used to determine whether a change is substantial enough to warrant an amendment to the Consolidated Plan or Action Plan:

- **New Activity** – a previously unidentified activity (based on HUD's Matrix Code system) will receive funding allocation to undertake an activity allowed under the program rules and regulations.
- **Change in Activity** – Using the IDIS HUD Matrix Code, if the allocation of funding requires a change from one numeric code to another numeric code to undertake an activity allowed under the program rules and regulations.
 - An example would be moving funds between 03A (Senior Center) to 16A (Historic Preservation) would require an amendment to the Consolidate Plan.
- **Change in Activity Location** – Unless identified in the Action Plan as a citywide activity, a new or different specific activity location has been identified different than an activity location that has been previously identified in the plan.
- **Cancellation of a Funding Allocation** - funding for a previously identified activity, program or project is canceled as originally stated in the plan.
- **Change in Funding Allocation** - an identified activity requires an increase or decrease in funding which exceeds fifty (50) percent of the original funding allocation.
- **Emergency Action Plan Amendments** - It may be necessary to amend the Action Plan in response to emergencies. Notice of proposed emergency changes will be published in the newspaper at least 5 days prior to the Mayor and Board of Aldermen meeting at which the change will be considered.

The Mayor and Board of Aldermen will review and comment on all proposed substantial changes. Notice of proposed substantial changes will be distributed to the news media, distributed to persons interested in housing and community development, and published in

a newspaper of general circulation within the City at least five (5) days prior to the Mayor and Board of Aldermen meeting at which the change will be considered. The Mayor and Board of Aldermen will consider all comments on the proposed change prior to taking action. The Mayor and Board of Aldermen may make the proposed change, reject the proposed change, or make a modified change. An explanation will be made available for public review of written comments and other public comments not accepted by the Mayor and Board of Aldermen.

Performance Reports

The Department will be responsible for preparing all reports on the programs and activities including the Consolidated Annual Performance and Evaluation Report (CAPER).

Prior to submitting the CAPER (annual performance report) to HUD, copies will be available for public comment and distributed to the Mayor and Board of Aldermen. Notice of the availability of the report will be published in a newspaper of general circulation within the City at least 15 prior to days the Board of Aldermen conducting a public hearing on the CAPER.

Prior to submitting the report to HUD, the Mayor and Board of Aldermen will consider any comments or views of its citizens received in writing, or orally at the public hearings on the annual performance report (CAPER). The City will attach to the final submission of the CAPER a summary of these comments or views.