

CITIZEN PARTICIPATION PLAN

August 3, 2020

Introduction

The City of Lewisville is an Entitlement Recipient of Community Development Block Grant Funds (CDBG) under Title I of the Housing and Community Development Act of 1974, as amended and HOME Investment Partnership Act, Title II of the National Affordable Housing Act of 1990. The City of Lewisville' citizen participation plan was prepared in accordance with section 104 (a) 3 of the Housing and Community Act of 1974 and has been amended as required for the Consolidated Plan for Housing and Community Development in accordance to CFR Part 91, section 105, including revisions resulting from a Final Rule at 24 CFR Part 5 regarding the City's obligations to Affirmatively Further Fair Housing (AFFH).

The Rule requires the development of a Fair Housing Assessment (AFH) prior to the completion of the City's Consolidated Plan. It includes analysis requiring consultation and community participation in the analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

In developing the AFH and the Consolidated Plan, the Citizen Participation Plan encourages participation by very low and low-income persons, particularly those living in slum and blighted areas and in areas where CDBG and HOME funds are proposed to be used. In addition, it encourages the participation of all its residents, including minorities and non-English speaking persons, as well as persons with mobility, visual or hearing impairments. It encourages the participation of residents receiving housing assistance or living in assisted housing developments, in the process of developing and implementing the AFH

and consolidated plan, along with other low-income residents of targeted revitalization areas as designated by the City.

Regarding the AFH, this Plan further encourages the participation of local and regional institutions, Continuums of Care (Denton Homeless Coalition), businesses, developers, nonprofit organizations, philanthropic organizations and community-based and faith-based organizations, in the process of developing and implementing the AFH and consolidated plan.

Addition Requirements: Specific to the Assessment of Fair Housing

Pursuant to 24 CFR 91.100, the City shall consult with other public and private agencies that provide assisted housing, health services and social services, including those focusing on services to children, elderly persons, persons with disabilities and HIV/AIDS and their families and persons experiencing homelessness. The City shall also consult with community-based organizations that enforce fair housing laws. Consultations should include regional agencies, adjacent units of local government and local government agencies. This includes agencies with metropolitan-wide planning and transportation responsibilities, particularly for problems that go beyond a single jurisdiction.

Public Housing Agencies (PHAs): the City shall consult with PHAs operating in Lewisville (Denton Housing Authority) to consider public housing needs and strategies, proposed actions for affirmatively furthering fair housing and to obtain PHA input on addressing fair housing issues in public housing and Housing Choice Voucher programs.

Affirmatively Further Fair Housing: the City shall consult with community based and regionally based organizations that represent protected class members or that enforce fair housing law including Fair Housing Assistance Program participants (FHAP), fair housing advocacy organizations, nonprofit organizations that receive funding under the Fair Housing Initiative Program

(FHIP), and other agencies that operate with the area and have relevant knowledge or data to inform the AFH.

Additional Requirements: the City shall make available to the public HUD-provided data and supplemental information to be incorporated in the AFH at the start of the public participation process. HUD-provided data may be made available, as possible, by cross-referencing to the data on HUD's website.

Functions, Policies and Procedures for Citizen Participation

1. Participation of residents in low and moderate income neighborhoods and assisted or public housing

The City will encourage residents to participate in the development of the AFH, any revisions to the AFH, the consolidated plan, any amendments to the plan, and the performance report through the following methods:

The principle mechanisms for achieving resident involvement in the development, administration and evaluation of CDBG and HOME Activities will be through the Grants Division of the Neighborhood Services Department of the City of Lewisville and a CDBG Advisory Committee composed of citizens appointed by City Council. All aspects of resident's participation will be conducted in an open manner, with freedom of access for all interested person and at handicapped accessible locations. The CDBG Advisory Committee will assist in receiving public input from the community. All citizen advisory committee meetings, public forums and public hearings will be posted on the official bulletin board of the City.

The Citizen Participation Plan also encourages, in conjunction with public housing agency consultations, 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 and the consolidated plan, along with other low-income residents of targeted revitalization areas. The City shall make an effort to provide information to the public housing authority (PHA) about AFH, AFFH strategy, and consolidated plan activities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

2. Function – The Grants Division of the Neighborhood Services

Department will perform the following functions:

- A. To solicit comments from persons within the community and persons residing in CDBG eligible census tracts relating to the needs of their neighborhoods and performance of the CDBG program.
- B. To provide information to persons within community and persons residing in CDBG eligible census tracts concerning public hearings, public forums or meetings, proposed AFH goals, CDBG and HOME funded activities, performance evaluations, etc.
- C. Conduct or assist with public hearings and neighborhood meetings to obtain resident views at all stages of the CDBG and HOME Program planning including development of AFH and consolidated plan goals and strategies. The Department and any appointed Advisory Committee will review all public comments, recommendations and proposals concerning the development of needs, proposed activities, program amendments and program performance and submit its recommendations to the City Council.
- D. Conduct CDBG Advisory Commission meetings as required.

3. Policies & Procedures

A. Timely Notice

i. Policy

1. It is the policy of the City of Lewisville to give residents timely notice of local meetings and reasonable and timely access to local meetings, information, performance reports, and records relating to the City's proposed and actual use of CDBG Grant, and HOME Investment Partnership funds. Meetings shall be held in accordance with section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act.

ii. **Procedure**

1. Official notice of public meetings and public hearings will be posted at least 72 hours in advance with the City Secretary of the City of Lewisville, Lewisville City Hall, Lewisville, Texas.
2. Meetings shall be held at City Hall or other facilities that meet accessibility and reasonable accommodation requirements.
 - a. Due to the COVID 19 pandemic, and for future emergencies as allowed by HUD, meetings may be held virtually. Citizen access to these meetings will be via telephone, computer, or any smart device that allows logging into or calling into virtual meetings. Citizens without such access will be invited to call staff with comments prior to meetings.
3. Notice of public hearings will be published in the current paper of record prior to hearing dates.

4. A statement of program objectives, proposed use of funds, and other information regarding the proposed AFH, Consolidated Plan, Annual Action Plan amendments will be published in the current paper of record prior to the public hearing
5. Information that may be reviewed includes, but is not limited to:
 - a. Amount of grant funding and program income anticipated in the coming year.
 - b. Range of activities that may be undertaken.
 - c. Estimated amount of grant funding and program income proposed to be used for activities that will benefit low and moderate-income persons.
 - d. Any proposed activities likely to result in displacement and the City of Lewisville' plan for minimizing displacement.

B. Technical Assistance

i. Policy

1. It is the policy of the City of Lewisville to take reasonable steps to provide technical assistance to group representative of persons of low and moderate-income that request assistance in developing proposals.

ii. Procedure

1. Groups representing persons of low and moderate income who are interested in receiving technical assistance may write or call the City of Lewisville, Grants Division of the Neighborhood Services Department, 151 west Church Street, Lewisville, Texas 75057, Telephone Contact: (972) 219-3780.

- a. An assessment of the type and extent of technical assistance needed by the representative group will be made by City staff upon request and in a timely manner.
- b. The City will make a good faith effort to see that reasonable requests for technical assistance are responded to in a timely manner.
- c.

C. Public Hearings

i. Policy

- 1. It is the policy of the City of Lewisville to hold public hearings and public forums for the purpose of obtaining the views of residents and responding to proposals and questions.

ii. Procedure

- 1. A minimum of one annual Public Input Forum or Public Hearing to obtain the views of residents on fair housing, community development and housing needs will be held by the CDBG Advisory Committee of the in a public facility accessible to the broader public. The location may be held at such locations in targeted revitalization areas as shall be posed in the notice of the meeting. It is anticipated that hosting a public hearing or forum at a community facility will enhance citizen participation. Such hearings or forums are to be held prior to releasing a Request for Proposals soliciting proposed projects for the upcoming Plan Year. In years that a new AFH is developed, the hearing shall be conducted near the beginning of the AFH planning process.

2. A minimum of one advertised Public Hearing to obtain the views of residents on fair housing community development and housing needs will be held by the Lewisville City Council during the 30 day public comment period and advertised publication of the Assessment of Fair Housing, the Consolidated Plan and/or the Annual Action Plan for public comment. This public hearing will be held in the Lewisville City Hall, City Council Chambers. This site is equally accessible to all sections of the city and is the normal place for public hearings.
 - a. Due to the COVID 19 pandemic, and for future emergencies as allowed by HUD, meetings may be held virtually. Citizen access to these meetings will be via telephone, computer, or any smart device that allows logging into or calling into virtual meetings. Citizens without such access will be invited to call staff with comments prior to meetings. Real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. Persons needing assistance are encouraged to contact Neighborhood & Inspection Services prior to the meeting to request accommodations.
 - b. For CDBG -CV funding under Program Year 2019 and the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, and/or any additional funding granted in response to COVID-19 health crisis, the City may provide a 5-day notice/comment period of substantial amendment beginning **July 20, 2020** as allowed under the

HUD waiver. A public hearing will be held after the 5-day period for approval of the amendment. Subsequent decisions on activity selection and funding will not need additional notices, comment periods or public hearings.

3. Other public meetings may be held as necessary.
4. Together, the public input forum and public hearing will address community development and housing needs, development of proposed activities, and review of program performance.
5. Any additional public hearings will be held in the Lewisville City Hall, City Council Chambers.
 - a. Due to the COVID 19 pandemic, and for future emergencies as allowed by HUD, meetings may be held virtually. Citizen access to these meetings will be via telephone, computer, or any smart device that allows logging into or calling into virtual meetings. Citizens without such access will be invited to call staff with comments prior to meetings. Real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. Persons needing assistance are encouraged to contact Neighborhood & Inspection Services prior to the meeting to request accommodations. At least 48 hours (two complete business days) advance notice is required.
6. The Grants Division of the Neighborhood Services Dept. will notify interested parties at least seven (7) days prior

to Public Hearings to, the Denton Housing Authority and assisted housing developments with a request that the notice be made available to their residents. Notice shall also be given to neighborhood and homeowner associations and identified neighborhood leaders (e.g. Neighbors Leading Neighbors volunteers) in locally designated Targeted Revitalization Neighborhoods and low- and moderate-income neighborhoods with single-family housing. Community Development departments and PHAs in neighboring cities and within Denton County shall also receive notices and draft documents inviting comment.

7. Reasonable accommodation for the physically challenged will be provided at public hearing sites. At least 48 hours (two complete business days) advance notice is required.
8. Comments received during the public comment period and at public hearings will be incorporated into the AFH, Consolidated Plan, Annual Action Plan or amendments.
9. The City shall consider comments or views of residents, whether received in writing or orally at Public Hearings, in preparing the final AFH or the final consolidated plan. A summary of any comments or views, and a summary of any comments or views not accepted, and the reasons why, shall be attached to the final AFH or the final consolidated plan.

D. Language Assistance

i. Policy

1. It is the policy of the City of Lewisville to take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English

speaking and limited English proficiency residents of the community. Residents should be able to understand and participate in discussions that take place at public hearings and public forums. Language assistance may be in the form of real-time translation and translated materials or allowing for individual appointments following a public hearing if such assistance was not possible at the hearing.

ii. Procedure

1. Anyone anticipating that the effectiveness of the public hearing will be significantly reduced because of English language limitations should contact the City of Lewisville, Grants Division as far in advance of the public hearing as possible.
2. At least 48 hours (two complete business days) advance notice is required.

E. Public Comment

i. Policy

1. It is the policy of the City of Lewisville to provide residents with reasonable advance notice of and opportunity to comment on proposed goals, strategies or activities not previously included in the AFH, the Consolidated Plan or the Action Plan and any proposed deletion or other substantial change to the activities.

ii. Procedure

1. If the proposed AFH or Consolidated Plan is approved and it subsequently becomes necessary to substantially change the program content, a formal amendment process will be followed.

- a. An additional public hearing will be held.
 - b. Reasonable advance notice of the date, time, and place of the public hearing will be made available to the public.
 - c. The nature of the proposed AFH revision(s) or Consolidated Plan change(s) will be described in sufficient detail to allow residents to determine if they are affected and desire to comment on the proposed change.
2. "Substantial Change" to the Consolidate Plan or Annual Action Plan is defined by the City of Lewisville to be:
- a. A proposed new activity which cannot reasonably be construed to have been included within the programmatic intent of the adopted application or in the commitment of funds to a specific project; or
 - b. An activity that was identified in the adopted application, but which subsequently is proposed to be deleted; or
 - c. An activity that is proposed to be altered in terms of its purpose, scope, location, or beneficiaries to such an extent that it can no longer reasonably be construed as the activity reviewed by the public and approved by the Lewisville City Council.
3. The criteria to be used in determining if an activity is at risk of becoming substantially changed from its originally intended purpose will be based upon further Lewisville

City Council actions to modify/amend the Consolidated Plan proposed activities.

4. City staff shall proactively monitor each funded project for compliance with its respective performance criteria and provide periodic progress reports to the City Council.
5. "Revision" to the AFH or AFFH goals and strategies are defined by the City of Lewisville to be:
 - a. A material change in circumstances in the City that affects the information on which the AFH was based, to the extent that the analysis of data, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances.
 - b. Proposed changes in the priorities and goals of the AFH that would alter the assessment to such an extent that it can no longer reasonably be construed as the intent reviewed by the public in the original plan.
6. Any revisions to the AFH and its goals and strategies or any funded activity that is judged to be at risk of substantially changing from its originally intended purpose, scope, location, or beneficiaries will be reviewed in a public hearing forum prior to a decision by the City Council as to whether the performance objectives of the project shall be amended.

F. Response to Complaints/Grievances

i. Policy

1. It is the policy of the City of Lewisville to take reasonable steps to address concerns expressed by residents and to

respond to any formal complaints or grievances in a timely manner.

ii. Procedure

1. Residents are urged to bring any concerns they may have regarding the AFH, Consolidated Plan, Annual Action Plan, CAPER or HUD funded activities to the attention of the City of Lewisville, Grants Division by calling (972) 219-3780 or to jkirby@cityoflewisville.com. It is anticipated that most concerns can be quickly and successfully addressed through direct conversation.
2. Unresolved issues, complaints, or grievances may be formally submitted to the following address: City of Lewisville Grants Division Neighborhood Services Department Lewisville City Hall, 151 West Church Street, Lewisville, Texas 75057 Attention: CDBG Plan Comment
 - a. In order for the City to be able to respond effectively, any formal complaint or grievance must be in writing and follow the procedures shown below:
 - It must be legible – typed correspondence is strongly urged.
 - It must be signed, dated, and indicate if the correspondent is representing his/her personal concerns or those of a larger group, in which case, the name and description of the group must be stated.
 - It must clearly identify the specific complaint or grievance and should state what corrective action is being sought.

3. The City will provide timely written answers to written complaints and grievances. The time required to respond may vary depending upon the nature and complexity of the specific complaint. Where practicable, written answers will be provided within 15 working days of the receipt of the written complaint.

G. Low to Moderate Income Residents

i. Policy

1. It is the policy of the City of Lewisville to encourage citizen participation, particularly by low and moderate-income persons who reside in the areas for which grant funding is proposed to be used.

ii. Procedure

1. Reasonable notice will be given to the general public at appropriate times as the details of the proposed use of grant funding is identified.
2. After specific proposals are received and evaluated and authorization is given by the City Council for the City Manager to negotiate the final funding decision, additional citizen participation procedures will be implemented. The specifics of these procedures may vary from project-to-project in order to respond to unique circumstances. The general process will be as follows:
 - a. Identify the geographic boundaries of the area most likely to be affected by the proposal and the principal organizations known to represent or otherwise be affiliated with the low and moderate-income residents.

- b. Proactively communicate the purpose of and means by which grant funding will to be used.
- c. Provide reasonable opportunities for low and moderate-income residents to ask questions and receive answers regarding how they might be affected by the proposed use of grant funding.

4. Public Documents (Publications)

A. Assessment of Fair Housing (AFH)

A summary of the proposed AFH will be placed in the or current paper of record and will allow at least thirty (30) days for persons to comment. The summary will describe the contents and purpose of the AFH and its identified goals and strategies to affirmatively further fair housing choice. It will include a list of the locations where copies of the entire plan may be examined. The assessment will also be published on the Neighborhood Services Dept. webpage.

B. Five-Year Consolidated Plan

A summary of the proposed five-year consolidated plan will be placed in the current paper of record and will allow at least thirty (30) days for persons to comment. The summary will describe the contents and purpose of the consolidated plan and include a list of the locations where copies of the entire plan may be examined. The plan will also be published on the Neighborhood Services Dept. webpage.

C. One-Year Action Plan

A notification will be placed in the current paper of record to inform residents of the availability of the one-year action plan to afford residents a

reasonable opportunity to examine their contents. At least thirty (30) days will be allowed to receive resident comments. The plan will also be published on the Neighborhood Services Dept. webpage.

D. Substantial Amendments

A notification will be placed in current paper of record to inform residents of the availability of any substantial amendments to the one-year action plan or the five-year consolidated plan, as these documents are developed, to afford residents a reasonable opportunity to examine their contents. At least thirty (30) days will be allowed to receive resident comments. The amendment will also be published on the Neighborhood Services Dept. webpage.

- i. For CDBG -CV funding under PY 2019 and the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, and/or any additional funding granted in response to COVID-19 health crisis, the city may provide a 5-day notice/comment period of substantial amendment beginning **July 20, 2020** as allowed under the HUD waiver. A public hearing will be held after the 5-day period for approval of the amendment. Subsequent decisions on activity selection and funding will not need additional notices, comment periods or public hearings.

E. Revisions to the Assessment of Fair Housing

A notification will be placed in the current paper of record to inform residents of the availability of any revisions to the Assessment of Fair Housing or to goals and strategies identified to Affirmatively Further Fair Housing, as these documents are developed, to afford residents a reasonable opportunity to examine their contents. At least thirty (30) days will be allowed to receive resident comments. The revisions will also be published on the Neighborhood Services Dept. webpage.

F. Consolidated Annual Performance and Evaluation Report

A notification will be placed in the current paper of record to inform residents of the availability of the consolidated performance report to afford residents a reasonable opportunity to examine the contents. At least fifteen (15) days will be allowed to receive resident comments. The report will also be published on the Neighborhood Services Dept. webpage.

5. Access to Public Information

A. Public access to information and records regarding the AFH, CDBG and other Grant Programs.

The City will provide for full and timely disclosure of its program records and information for the preceding five years consistent with applicable state and local laws regarding personal privacy and obligations of confidentiality.

Documents relevant to the program shall be made available at the City of Lewisville, Grants Division of the Neighborhood Services Department, 151 West Church Street, Lewisville, Texas 75057, during normal working hours for residents' review upon either written or oral request. Such documents include 1) all mailing and promotional material; 2) records of public hearings; 3) All key documents, including all prior applications, letters of approval, grant agreements, the citizens participation plan, performance reports, evaluation reports, Consolidated Plan, other reports required by HUD, and the proposed and approved application for the current year; 4) Copies of the regulations and issuance's governing the program; and, 5) Documents regarding other important program requirements, such as contracting procedures, environmental policies, fair housing and other equal opportunity requirements, and relocation provisions. A reasonable number of free copies of the AFH or consolidated plan must be provided to residents and groups that request a copy.

B. Availability of AFH, Consolidated Plan and Action Plan

Copies of the plans will be available at the City of Lewisville Grants Division of the Neighborhood Services Department at 151 W. Church Street, 2nd Floor, and at the Lewisville Public Library Reference Desk.

6. Technical Assistance

The City of Lewisville Grants Division of the Neighborhood Services Department will provide for and encourage the submission of views and proposals regarding the Community Development and HOME Program funded activities by residents, particularly low and moderate-income persons and residents of blighted neighborhoods. The City will provide technical assistance to groups representative of persons of very low and low income, or of protected classes per the Fair Housing Act as amended, or of assisted housing developments that request such assistance in developing proposals for funds under any of the programs covered by the consolidated plan. The level and type of assistance will be determined at the time of the request. The City will provide a timely written response to all written proposals submitted within thirty (30) days stating the reasons for the action taken by the City of the Proposals.

The Grants Division of the Neighborhood Services Department will provide technical assistance to any appointed citizen advisory board or committee to familiarize them with overall program aspects; particularly the process for determining community needs, program planning, resident input and program assessment.

7. Anti-Displacement

The City of Lewisville intends to minimize displacement of persons in the implementation of CDBG and HOME activities. If displacement becomes necessary in order to accomplish program objectives, persons displaced will be assisted according to the HUD Handbook 1378, Tenant Assistance, Relocation and Real Property Acquisition, including any amendments and 24 CFR part 92.353, displacement, relocation and acquisition regulations.

8. Complaints and Grievances

Resident complaints or grievances may be submitted in writing and mailed to the Grants Division of the Neighborhood Services Department Office or may be hand delivered. A written response will be provided within fifteen (15) working days where practicable to all written complaints and grievances received by the Grants Division of the Neighborhood Services Department.

9. Amendments

- A. The City of Lewisville will amend its consolidated plan whenever one of the following decisions is made:
 - i. To make a substantial change in its allocation of priorities or a substantial change in the method of distribution of funds;
 - ii. To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan;
 - iii. To substantially change the purpose, scope, location, or beneficiaries of an activity.
- B. Public comments for amendments to the consolidated plan will follow the procedures outlined above in section I-B concerning public hearings.

A “Substantial Change” is defined by the City of Lewisville to be:

- i. A proposed new activity which cannot reasonably be construed to have been included within the programmatic intent of the adopted application or in the commitment of funds to a specific project; or
- ii. An activity that was identified in the adopted application, but which subsequently is proposed to be deleted; or
- iii. An activity that is proposed to be altered in terms of its purpose, scope, location, or beneficiaries to such an extent that it can no longer reasonably be construed as the activity reviewed by the public and approved by the Lewisville City Council.