



## AMENDED CITIZEN PARTICIPATION PLAN

Community Development Block Grant Program  
HOME Investment Partnership Program

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## **A. Introduction and Background Information**

This document shall serve as the plan that serves as the guidelines and procedures to address citizen participation requirements under the Consolidated Plan, and under the Community Development Block Grant (CDBG) Program and HOME Investment Partnership Program as funded by the U.S. Department of Housing & Urban Development (HUD). Participation by low-moderate income persons, residents of predominately low-income neighborhoods, minorities, non-English speaking persons, and persons with disabilities is especially encouraged.

Section 103(a) (3) of the Housing and Community Development Act of 1974, as amended (the law that established the CDBG Program) sets forth certain requirements for citizen participation activities. 24 CFR 91.105 are the federal regulations that outline the “citizen participation” requirements, as well as certain other requirements for HUD-funded activities, as a part of the Consolidated Planning process. This document has been established in order for the City of Elmira to be in conformance with requirements of the above law/regulations. In 24 CFR 91.105 there are numerous references to the “citizen participation plan” requirements as well as “consolidated plan” requirements.

## **B. Designation of Lead Agency**

The Lead Agency for the administration of the federal Community Development Block Grant (CDBG) and HOME Investment Partnership Program in the City of Elmira is the Department of Community Development. The Department of Community Development is charged with notifying citizens about the planning process, facilitating community meetings, drafting the Annual Action Plan and the Five Year Consolidated Plan, summarizing the allocation recommendations, providing opportunities for public comment regarding substantial amendments, and developing the Consolidated Annual Performance Evaluation Report (CAPER).

## **C. Citizen Comment on the Citizen Participation Plan and Amendments**

The Citizen Participation Plan and amendments to the Plan are subject to full disclosure, review and public comment prior to approval by the City Council of the City of Elmira. Prior to taking action on the Citizen Participation Plan and approving substantial amendments, the City of Elmira shall take the following steps:

1. Full copies of the Citizen Participation Plan and amendments to the Citizen Participation Plan should be made available for public view and kept on file at the following locations:

- City Clerk’s Office, City Hall, 317 E. Church St., Elmira, NY 14901
- City of Elmira, Department of Community Development, 317 E. Church St., Elmira, NY 14901
- City of Elmira’s website at [www.cityofelmira.net](http://www.cityofelmira.net)

- Steele Memorial Library Downtown Elmira Branch, 101 E. Church Street, Elmira, NY 14901- (Has magnifying reader for the visually impaired)
- Elmira Housing Authority Offices, 737D Reservoir Street, Elmira, New York 14901

The copies will be made available to the public a minimum of 15 days before the City of Elmira's public hearing. Persons that are homebound may also request a free copy of the Citizen Participation Plan be mailed to their place of residence. The plan will be placed in a format accessible to persons with disabilities or non-English speaking individuals, upon request.

2. The City of Elmira will place an advertisement in the local newspaper, the "Star Gazette", notifying the public of the availability of the plan at the various locations and will include information on how citizens can comment on the plan. There will be a 30 day comment period for citizen's to comment on the Citizen Participation. In addition, to placing an advertisement in the local newspaper, the City of Elmira will issue a press release to local media that the plan is available for public view and comment.

3. The Department of Community Development will issue a separate notice via email to all current public service sub-grantees, the Elmira Housing Authority, Chemung County Planning Department, and the Chemung County Department of Aging and Long-Term Care, notifying them that the Citizen Participation Plan is available for review and comment.

4. City Council will schedule a public hearing on the plan or substantial amendment. The public hearing will be advertised in the "Star Gazette". Provisions will be made for persons with disabilities, upon request, and for non-English speaking residents in the case where a significant number of non-English speaking residents can reasonably be expected to participate.

5. Staff and the Elmira City Council will consider any comments or views of citizens received in writing, or orally at the public hearing. A summary of public comments will be developed and included as an appendix to the Plan.

6. At an open meeting, City Council will take action on the plan or substantial amendments.

#### **D. Consolidated Plan- General Procedures**

The Consolidated Plan serves as a "planning" document, as well as a vehicle for the establishment of project funding priorities for a five-year period. This section will deal with how funding priorities and projects are established for each fiscal year of the Community Development Program for the development of the Annual Action Plan.

The Community Development Program year shall begin on July 1st and end on June 30th. The Annual Action Plan, outlining the City's funding priorities and activities it intends to undertake

shall be submitted to HUD 45 days prior to the beginning of the next Program year, or by May 15<sup>th</sup>. Prior to the adoption of the Consolidated Plan or Annual Action Plan and the proposed plan being published for public comment, a public hearing will be held at a regularly scheduled City Council meeting. The location of regularly scheduled City Council meetings is handicap accessible. The purpose of this public hearing will be to obtain input from citizens, involved agencies, and interested persons on activities to be included in the Consolidated Plan and Annual Action Plan. Following the public hearing and the preparation of a draft summary of the Consolidated Plan and Annual Action Plan, a 30 calendar day public comment period will be observed. The draft summary will include the following: 1. Amount of assistance the City expects to receive plus program income; and 2. Range of activities that may be undertaken, including an estimated amount that will benefit persons of low to moderate income; and 3. Efforts to minimize any proposed displacement. The City will notify the public by placing an advertisement in the Star Gazette that a summary of the proposed Consolidated Plan and list of project locations is available at City Hall, 317 E. Church St. as well as on the City of Elmira's website at [www.cityofelmira.net](http://www.cityofelmira.net). The City will also utilize an electronic mailing list to notify sub-grantees that the summary is available. All comments will be recorded and considered in the formulation of the Plan. In addition, all comments and responses will be included in the appendix of the Plan and will be forwarded to HUD upon adoption. Once public comments have been received and addressed in the formulation of the Consolidated Plan or Annual Action Plan, a full version of the Plan will be available for the public to view at the Department of Community Development offices as well as online at the City of Elmira's website. Free copies of the entire Consolidated Plan will also be available for the public upon request.

The City of Elmira will monitor all projects to determine the effectiveness of the program initiative in meeting described goals and the national goals of the Consolidated Plan to provide decent housing, a suitable living environment, and expand economic opportunity for low to moderate City residents. The Department of Community Development will complete the Consolidated Annual Performance Evaluation Report (CAPER) for the U.S. Department of Housing and Urban Development. The City of Elmira will provide for at least 15 calendar days of public review and comment. A public comment period and public hearing will be advertised in the Star Gazette as well as on the City's website. All sub-grantees and interested agencies will also receive electronic notification that the draft CAPER is available for comment. The City will consider all comments received, and provide a summary of all comments received in its submission of the CAPER. The Community Development Department shall submit the CAPER report to HUD prior to October 1<sup>st</sup>.

## **E. Substantial Amendments to the Consolidated Plan**

The City of Elmira will solicit and provide for citizen participation in all instances where a substantial amendment to the Consolidated Plan is necessary.

The following changes define a substantial amendment:

- Substantial changes in HUD assistance programs that directly affect the City of Elmira Consolidated Plan. For the Annual Action Plan, a substantial change would constitute a change of more than 25 % of the total grant award funding the activity.

- To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously identified in the Plan.
- To change the purpose, scope, location, and beneficiaries from one eligible activity to another by more than 25% of the total funds previously authorized.

Changes that are not considered substantial amendments:

- Changes to the CDBG or HOME budget for a project by an amount that is less than 25%;
- Consolidated Plan data updates: Consolidated Plan data updates such as census data, income limits, and fair market rents, HOME high and low market rents, Home subsidy limits, and similar types of data shall not be considered a substantial amendment;
- Minor change in project location: A minor change in location on a specific property is not considered a substantial change as long as the purpose, scope, and intended beneficiaries remain essentially the same;
- Project Budget Line Item change: The transfer of some (but not all) funds within a project from one approved budget line item to another approved budget line.

Where it is determined that a substantial amendment to the Consolidated Plan is necessary, the City of Elmira will provide opportunity for public comment. With public notice of the proposed substantial amendment, at least one public hearing shall be conducted to consider the amendment. The City will advertise the public hearing in the Star Gazette and allow for at least 30 days to receive comments on any substantial amendments to the Consolidated Plan before such amendments are approved by the Elmira City Council. The only exception to the 30 day public comment period is such a case as this requirement is waived by the U.S Department of Housing and Urban Development. Substantial amendments will be published on the City of Elmira’s website on the Department of Community Development’s webpage. The City of Elmira will collect citizen comments and summarize comments in the amendment submitted to the U.S. Department of Housing and Urban Development.

## **F. Standard Procedures for Meetings and Public Hearings**

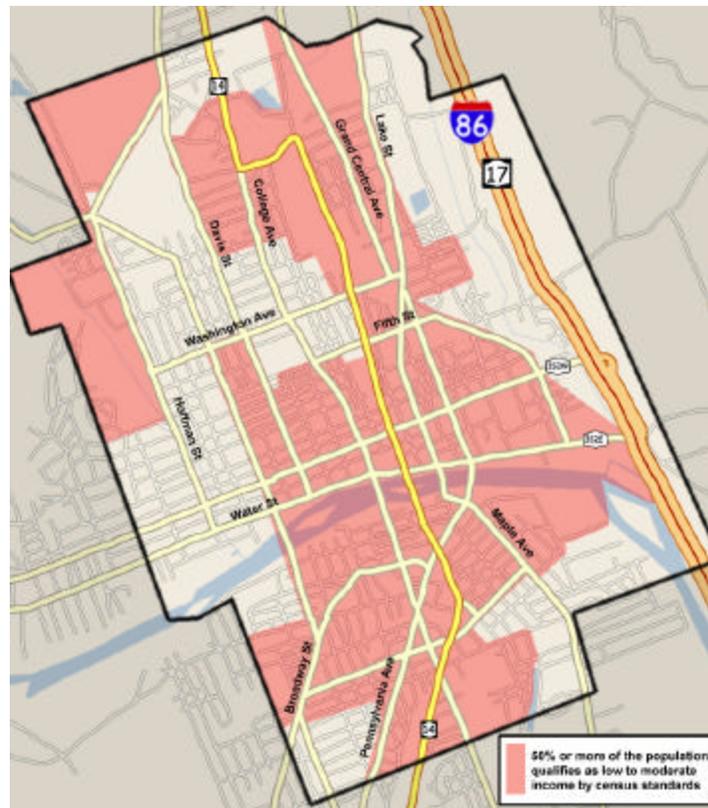
All meetings and hearings of the Community Development Department and the City Council are covered under the provisions of the New York State “Open Meeting Law.” Meetings will be held during evening hours at locations that are accessible to persons with disabilities. Public Hearings will be held at City Hall, 317 E. Church St., Elmira, NY 14901 and will be a separate item on the City Council Agenda. Community meetings will be held in accessible community facilities that are convenient for low to moderate income residents to attend. Copies of each meeting notice shall be forwarded to the City Clerk’s Office, where they are kept on public display and file. Public Hearings shall be advertised in the City’s Official Newspaper, the Star Gazette two (2) weeks prior to the hearing. In addition to the newspaper, notices will be published on the City’s website and participating agencies will be asked to post a notice at their offices and facilities. The notice shall contain meeting time and location and sufficient information about the subject of the meeting or public hearing. In the event a meeting is expected to be attended by a significant number of non-English speaking individuals, a translator will be provided.

## G. Access to Records by the Public and Agencies

Documents such as the Consolidated Plan, annual reports, program regulations and individual project records will be made available to the public subject to any restrictions set forth in federal and state “data privacy act” laws and regulations. The documents will be available during business hours 8:30 a.m. to 4:30 p.m. at the Community Development offices located on the third floor of City Hall, 317 E. Church Street, Elmira, NY 14901. City Hall is an accessible building and the Community Development offices are also handicapped accessible. The Department also publishes documents and notices on the City’s website, [www.cityofelmira.net](http://www.cityofelmira.net). Records will be kept available for a minimum of five (5) years prior to their being placed in file storage for closed projects or closed program years.

## H. Definition of Low to Moderate Income Areas

The U.S. Department of Housing and Urban Development (HUD) defines low to moderate income areas as those neighborhoods where 51% or more of the resident population is classified as low income according to U.S Census data. The shaded areas on the below map represent low-moderate income areas of the City that meet the HUD definition.



## **I. Citizen Advisory Committee and Their Function**

The role of the Citizen Advisory Committee (CAC) is to provide citizen participation to include citizens of low and moderate income who live in areas where community development funds are to be used, in planning and evaluation of the City's community development program. The CAC will also be used to help assess community needs, advice on the distribution of funds, inform other citizens about the CDBG program and to provide citizen input in the development of the City's Consolidated Plan every five years. Citizen Advisory Committee members will be responsible for reviewing the performance and effectiveness of the Community Development Program. The CAC will also have the opportunity to review citizen comments received on the Consolidated Plan, Annual Action Plan, and CAPER and provide suggestions regarding how citizen comments should be incorporated in the final drafts. The Citizen Advisory Committee will meet at least quarterly.

Citizen Advisory Committee shall consist of a minimum of nine (9) citizens of the City of Elmira. It is recommended that the Committee consists of members representing the below interest groups and efforts will be made to attract interested individuals. However, individuals who do not fit into any of the below categories will not be excluded from serving on this committee.

- Resident of Elmira Housing Authority or of a privately-owned low-income housing complex
- Low/Moderate Income
- Minority
- Disabled
- Elderly
- Youth
- Representative from the Business Community
- Representative from the Human Services field

Members of the Citizen Advisory Committee will be appointed by the Mayor. The City will issue a press release and advertise that it is seeking residents to serve on a Citizen Advisory Committee. Outreach will also be done through the First-Time Homeowner's Association newsletter and flyers distributed to community centers, the Elmira Housing Authority, and privately-owned low income housing complexes to obtain interested citizens. Individuals will be asked to submit a letter of interest to the Mayor explaining their reasons for wanting to serve on the committee and background information about themselves. Upon formation of the initial Committee in 2010, all individuals will serve a two (2) year term and will have the option every year to have their appointment renewed.

## **J. Consultation Activities**

In preparing the Consolidated Plan, Annual Action Plan, and the Consolidated Annual Performance Report (CAPER), the City of Elmira shall contact, inform, and encourage participation by all organizations and persons located in or working in the City of Elmira that fit the following descriptions:

- Public and private agencies that provide assisted housing, health, and social services, and child welfare agencies regarding lead-based paint;
- The City's, Community Housing Development Organization (CHDO), the Near Westside Neighborhood Association
- Adjacent units of local government for community development needs;
- Elmira Housing Authority;
- Local and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations);
- Economic Development agencies, for example Southern Tier Economic Growth and Elmira Downtown Development;
- Low- and moderate-income persons, particularly those living in predominately low- moderate-income neighborhoods or slum or blighted areas and in areas where CDBG funds are proposed to be used;
- All of its citizens, including minorities, non-English speaking persons, and those with disabilities;
- People or organizations including subgrantees that request to receive notice.

## **K. Technical Assistance**

The first week of January each year, the City of Elmira will issue a Notice of Funding Availability soliciting eligible projects from organizations that propose to provide decent housing, a suitable living environment, and expanded economic opportunity. The Notice of Funding Availability will be published in the Star Gazette as well as electronically distributed to housing and human service agencies. The request of proposals will be based upon priorities established through the consolidated plan process, the citizen participation process, and supplemented by experience and guidance of the Lead Agency. A minimum of two community workshops will be held during the second week of January of each year following the issuance of the Notice of Funding Availability. The community workshops will be held at an accessible location and advertised through the media utilizing a press release and advertisement in the Star Gazette. In order to encourage participation, an identical day and evening workshop will be held. The Department of Community Development will offer technical assistance to groups organized by and/or serving low income residents to enable them to develop a proposal for funding assistance. Community Development staff will determine the level and type of technical assistance on a case-by-case basis.

## **L. Outreach to Persons with Disabilities and Non-English Speaking People**

The City of Elmira is committed to providing full access to programs under the Consolidated Plan for persons with disabilities and non-English speaking persons. The Department of Community Development will undertake the following activities:

- Select only sites for public hearings that are accessible for persons with physical disabilities.
- Documents will be available for public view at the Steele Memorial Public Library which has a magnifying reader for printed materials for individuals who are visually impaired.
- All advertisements published will include the following statement, “Hearing impaired persons can reach this office through the New York Relay Center at 1-800-662-1220.”
- The City of Elmira will outreach to community organizations that represent persons with disabilities for assistance in ensuring accessibility to the City’s programs as well as input into the Consolidated Plan process.
- Provide Spanish interpreters (if available) at public hearings where the Department expects a significant number of non-English speaking residents to attend.

## **M. Responding to Citizen Concerns**

The City of Elmira is committed to maintaining an open door to citizen input, comments, and complaints throughout the program year regarding the Consolidated Plan, amendments, and overall performance in the carrying out of CDBG and HOME funded activities. The City of Elmira will provide prompt written responses to written complaints and grievances within 15 business days of their receipt, where practicable. If more time is needed to adequately respond to a specific concern, the individual making the complaint or grievance will be notified in writing, that more time is needed. All citizen complaints regarding the Consolidated Plan, amendments, and performance reports shall be addressed to the City of Elmira Community Development Department, 317 E. Church Street, Elmira, NY 14901.

## **N. Anti-Displacement Policies**

The City of Elmira will administer its CDBG Program, HOME Investment Partnership Program in full compliance with federal anti-displacement strategies. Before obligating or expending funds that will directly result in such demolition or conversion, the City of Elmira will make public and submit to the Buffalo Field Office of the U.S. Department of Housing and Urban Development all required information including a description of the assisted activity, the general location on a map, number of dwelling units affected, a time schedule, the general location and number of proposed replacement units, the source of funding for replacement units, and the basis for concluding that each replacement unit will remain a low and moderate income unit for at least ten years from the date of initial occupancy.

## Glossary of Terms

In an effort to make this document more useful and user friendly to the citizens of Elmira below are some definitions.

**Community Development Block Grant (CDBG):** Federal grant program administered by the U.S Department of Housing and Urban Development to develop viable communities by providing decent housing, a suitable living environment, and opportunities to expand economic opportunities, principally for low to moderate income persons.

**Five-Year Consolidated Plan:** This document is submitted to HUD every five years and serves as the five-year planning document of the City and application for funding for CDBG.

**Annual Action Plan:** This document is submitted to HUD every year and updates the Consolidated Plan. The Annual Action Plan also allocates CDBG funding for the upcoming program year as well as any program income generated from CDBG.

**Consolidated Annual Performance Evaluation Report (CAPER):** This document reports on the progress made in carrying out the Consolidated Plan and Action Plan.

**Sub-grantee:** Refers to any private non-profit organization or unit of general local government to which the City of Elmira provides funds to carry out the eligible activities under the Community Development Block Grant and HOME Investment Partnership Programs and which is accountable to the City of Elmira for the use of the funds provided.

## Program Year and Citizen Participation Schedule

<b>Start of Program Year</b>	<b>July 1<sup>st</sup></b>
<b>Notice of Funding Availability of CDBG and HOME Funds</b> (Published in Star Gazette and Electronically Distributed)	<b>1<sup>st</sup> week of January</b>
<b>Community Workshops</b> (Day and Evening Session held in an accessible location to be announced)	<b>2<sup>nd</sup> week of January</b>
<b>Public Service Applications Due</b>	<b>3<sup>rd</sup> Monday of February</b>
<b>Review of Public Service Applications By Citizen Advisory Committee</b>	<b>1<sup>st</sup> week of March</b>
<b>Annual Action Plan Public Hearing</b> (7:00p.m. in City Council Chambers)	<b>End of February - Beginning of March</b>
<b>Annual Action Plan 30- Day Public Comment Period</b>	<b>April 1<sup>st</sup> – May 1<sup>st</sup></b>
<b>City Council Vote Authorizing Submission of Consolidated Plan/ Annual Action Plan</b>	<b>1<sup>st</sup> Council Meeting in May</b>
<b>Annual Action Plan ( or Five Year Consolidated Plan) Submission Deadline</b>	<b>May 15<sup>th</sup></b>
<b>End of Program Year</b>	<b>June 30<sup>th</sup></b>
<b>CAPER Available in Draft Form for Citizen Review and Comment</b>	<b>1<sup>st</sup> week of September</b>
<b>Public Hearing on Program Performance</b> (7:00p.m. in City Council Chambers)	<b>Mid- September</b>
<b>CAPER Submission to HUD Deadline</b>	<b>September 29<sup>th</sup></b>

The following table depicts the public hearing/notice requirements for each CDBG plan or report.

<b>CDBG Public Hearing Notice Summary</b>			
<b>Type of Document</b>	<b>Public Hearings</b>	<b>Legal Notices</b>	<b>Other Notices and Information Resources for Public</b>
<b>Citizen Participation Plan (CPP) or Amendments to the CPP</b>	<b>Total: 1</b>	Run one legal notice in SG advertising 30 day public comment hearing at least 15 calendar days prior to the public hearing.	Interested persons and agencies will be emailed about public hearings, and public comment periods.
<b>Consolidated Plan and/or Annual Action Plan</b>	<b>Total: 1</b> To be held end of February or 1 <sup>st</sup> week of March	Run one legal notice in SG advertising at least 15 calendar days prior to public comment and 30 day public comment period.	Run one other legal notice (1 <sup>st</sup> week of January) advertising that the City will be receiving entitlement and eligible organizations can request financial assistance through the CDGB and HOME programs.  Interested persons and agencies will be emailed about public hearings, and public comment periods.
<b>Amendments to the Annual Action Plan/Consolidated Plan (unless for the noted exceptions)</b>	<b>Total: 1</b>	Run one legal notice in SG at least 15 days prior to Public Hearing.	Interested persons and agencies will be emailed about public hearings, and public comment periods.
<b>CAPER</b>	<b>Total: 1</b> <b>mid-September</b>	Run one legal notice in SG at least 15 days prior to Public Hearing.	Interested persons and agencies will be emailed about public hearings, and public comment periods.
<ul style="list-style-type: none"> <li>➤ All Legal Notices and Advertisements are run in the Star Gazette (SG), which is the local daily newspaper.</li> <li>➤ All information, document drafts, forms, is available to the public on the CDBG web page, <a href="http://www.cityofelmira.net">www.cityofelmira.net</a>, which will provide easy links to access information.</li> <li>➤ Documents will be available at the City Clerk's Office, Department of Community Development, Steele Memorial Library, and the Elmira Housing Authority Offices</li> </ul>			

**Summary of Comments Received During Public Comment Period  
(October 27, 2009- November 25, 2009)**

- One comment to broaden the suggestion pertaining to having an individual from the Elmira Housing Authority serve on the Citizen Advisory Committee to include an individual living in one of the private low income housing complexes since they could provide a similar prospective.  
*Note: This comment was incorporated into the section on the Citizen Advisory Committee because it was acknowledged that it brought up a good point and there are a couple of low income housing complexes run by non-profits or private firms and it would be beneficial to get input from their residents as well.*
  
- A comment was received that suggested expanding the size of the Citizen Advisory Committee and having it meet more often.  
*Note: It was made clear in the Citizen Participation Plan that 9 is a minimum number and the committee can be expanded as well as the frequency of meetings.*
  
- Suggestion to have geographic representation of members on the Citizen Advisory Committee, for example having each City Council district represented. Also, whether it was necessary to have interested individuals submit a letter of interest.  
*Note: Geographic representation will be considered, however instead of strictly relying on Council members to give suggestions, the Department of Community Development will also outreach to subgrantees and local organizations for clients or constituents that would be interested in serving. Council members are welcome to give suggestions, however individuals will still be asked to write letters of intent to make sure that they are in fact interested.*