

2020-2024 Citizen Participation Plan

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5-Year Citizen Participation Plan

For PY 2020 - PY 2024

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Citizen Participation Plan

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I. CITIZEN PARTICIPATION PLAN OVERVIEW



The Community Development Block Grant (CDBG) Program has operated since 1974 to provide local governments with the resources necessary to meet the needs of low- to moderate-income residents.

Annually, the Department of Housing and Urban Development (HUD) issues entitlement funds to local governments, including states, counties and cities, allowing those units of government flexibility to develop programs that meet the unique needs of their community. Citizen participation is necessary in order for the needs of Baytown’s residents to be determined, priorities that address those needs to be set, and the community to be enhanced through cooperation and teamwork in the development and implementation of the CDBG plans. The City of Baytown (“City”) receives an annual CDBG entitlement from HUD and created this Citizen Participation Plan (“Plan”) to work as an integral part of the planning and implementation process for the CDBG Program.

Though HUD sets forth that the document should be a Citizen Participation Plan, it should be noted that neither HUD nor the City of Baytown limits participation to U.S. Citizens, but encourages participation by any resident of the city or any party interested in how the City spends its CDBG funds.

The Plan must ensure that all residents, businesses, non-profits and other interested parties have a vehicle by which they can become involved in how federal funds are spent on the local level. According to Part 24 of the Code of Federal Regulation, section 91.100, participation by residents in the CDBG Program is a requirement of HUD as is the development of a Citizen Participation Plan. Part 24 CFR 91.105 states the requirements of the Plan. The Plan must set forth the City’s policies and procedures for involving residents and stakeholders in the CDBG planning and implementation process. The Plan must

provide for and encourage residents, particularly low- to moderate-income residents, those living in



low- to moderate-income neighborhoods or blighted neighborhoods, racial/ethnic minorities and the disabled to participate in the development of the plans and evaluation reports. The main reports that are based on public input are the 5-Year Consolidated Plan, 5-Year Fair Housing Plan (Assessment of Fair Housing – AFH), and Annual Action Plans. In addition, the annual Environmental Review Records and Consolidated Annual Performance and Evaluation Report (CAPER) are also open for public review and comment.

Often times during the implementation period, the City must alter its originally stated plans. The Citizen Participation Plan must specify the City’s criteria for determining what changes in activities or funding constitute a substantial amendment to the Consolidated Plan and/or Annual Action Plan and must comply with federal regulations in involving residents in the amendment process.

In order to remain attuned to the needs of the community, this Citizen Participation Plan is updated every five years in conjunction with the CDBG Consolidated Plan.

ENCOURAGING CITIZEN PARTICIPATION

The City of Baytown recognizes that building a community requires involvement from a number of invested partners. The City is committed to involving residents and stakeholders in the planning, implementation and evaluation processes of the Community Development Block Grant Program to the greatest extent possible. The City is especially committed to involving low- to moderate-income, minority, and disabled persons as well as those living in areas with blighted conditions or without equal amenities to the rest of Baytown. In addition to participation by residents, local businesses, non-profit agencies, advocacy groups, and the local Housing Authority are strongly encouraged to participate.



The Citizen Participation process is an on-going element of the CDBG program and encourages public participation during every phase of the program. Community Development Division staff is available throughout the year to discuss programs and to receive public comments. Reasonable advance notice is afforded in English and Spanish through the City’s website (www.baytown.org) and the *Baytown Sun* when public comments are actively being solicited for specific purposes such as:

- During the development of local funding priorities found in the five year Consolidated Plan;
- During the development of the annual Action Plan and budget;

- During requests for substantial amendments to the Consolidated Plan and/or Annual Action Plan; and
- During the formulation of the Consolidated Annual Performance Evaluation Report (CAPER).

The City welcomes recommendations regarding additional or better methods to encourage involvement and participation.

II. OVERVIEW OF MAJOR PROCESS REQUIRING CITIZEN PARTICIPATION

PLANNING PROCESSES

Plan Development Process: Public participation in the plan development process involves 2 phases: (1) identification of priorities, issues and concerns; and (2) proposal of activities and allocation of funds. The City incorporates any and all public input and comments into each planning document.



1. Identification of Priorities, Issues and Concerns: Early in the Consolidated Planning process as well as the Annual Action Plan process, the City of Baytown will inform residents and interested parties of the process and provide a public hearing for residents and stakeholders to voice their views on priority needs and allocation of funds.

Specifically during the Consolidated Planning process, which occurs every 5 years, the City will make available a survey for residents and stakeholders to complete rating the level of need for each of the CDBG-eligible activities. Additionally, open-ended questions will be asked to solicit free-form comments about the levels of need and methods for addressing the needs. A sample of the survey in English and Spanish are located in the Appendix.

During the Consolidated Planning process, the City will also inform residents and interested parties about fair housing choice and the Fair Housing Plan with its Assessment of Fair Housing (formerly Analysis of Impediments). A portion of the Consolidated Plan public hearing will be devoted to fair housing issues and City staff will solicit comments regarding any incidences where the Fair Housing Act may have been violated directly or indirectly. Part of the Consolidated Plan survey also will be devoted to questions regarding fair housing violations and perceptions of unequal treatment for protected classes.

During the Consolidated Planning process and Fair Housing Plan development, City staff or its consultants will interview key stakeholders regarding fair housing and equal rights issues. The stakeholders may include advocacy groups, social service agencies, foundations, researchers, developers, realtors, lending institutions, homeowner associations, and other groups or individuals responsible for complying with, enforcing, or advocating for fair housing.

During the Annual Action Plan process, the City will host a public hearing to review the priorities set in the Consolidated Plan, past funding allocations, activities conducted, and current available funding. The attendees will be asked to comment on potential activities for the up-coming year. In conjunction with the first Annual Action Plan public hearing, the City will conduct a pre-application workshop for potential subrecipients who are interested in applying for funding.

As with the Consolidated Planning process, a public hearing during the Annual Action Plan process will include information on fair housing and City staff will solicit comments regarding any incidences where the Fair Housing Act may have been violated directly or indirectly.

2. *Proposal of Activities and Allocation of Funds:* Approximately 2 to 3 months after the initial public hearings and release of surveys during the Consolidated Planning process, the City will conduct a second public hearing to detail resulting funding priorities and actual proposed activities for the upcoming year.

As part of the Consolidated Planning process conducted every 5 years, this second public hearing will also involve discussion about the Fair Housing Plan and its Analysis of Impediments. The impediments will be discussed as well as the City's plans during the coming 5 years to address the impediments and to affirmatively further fair housing choice in Baytown.

A draft of the proposed plan(s) will be made available and attendees will be encouraged to voice their opinions and concerns. During this second public hearing for the Annual Action Plan, there will again be a time to discuss fair housing issues and City staff will solicit comments from attendees.

The second public hearing may serve to launch the 30-day public comment period for the draft plan(s). As an option the City may choose to hold the second public hearing at any time during the public comment period.

The City staff will present the plan(s) to City Council each year in 2 stages. The proposed activities and funding allocations will be presented to City Council for approval. During the public comment period of the Council meeting, residents will have the opportunity to voice their opinion. The final plan(s) will be presented during a second City Council meeting. At that time residents will have another opportunity to voice their opinion. The City will cease accepting public comments for the plan(s) prior to the City Council adopting the final document(s).

3. Amendments: During the program year, the City may opt to amend either the Consolidated Plan or the Annual Action Plan. A substantial amendment will occur when:
 - a. An activity is proposed that was not listed or given a high priority in the Consolidated Plan;
 - b. An activity is proposed that was not listed in the Annual Action Plan;
 - c. An activity that was listed in the Annual Action Plan is to be cancelled;
 - d. CDBG Target Areas have changed that requires mid-year corrections/changes of activities;
 - e. The location of a public facility or infrastructure project detailed in the Annual Action Plan has changed; or
 - f. 20% or more of the City's annual allocation is to be re-allocated among existing or new activities.

Minor amendments that do not require public notice, a public hearing or public comment period include, but not limited to:

- a. Less than 20% of the City's annual allocation is to be re-distributed among existing or new activities;
 - b. The number of persons to be served by an activity has changed;
 - c. Activities have been delayed and are to be initiated or completed at a later date; or
 - d. The approved activity will be carried out by a different organization.
4. Public Notification: The public notices for public hearings will be posted at least 72 hours prior to the opening of the hearing. The public notice for the public comment period will be posted in conjunction with the notice for the second public hearing. Notification will be in the main news section of the local general circulation newspaper, on the public notice board at City Hall, on the City's website and on the City's social media site. Samples of the public notices are in the Exhibits in the Appendix.
5. Term of Participation/Comment: Public comments may be submitted at any time, and are generally received for incorporation in the decision-making process and in the final documents from February through approximately August 12 of each year for the Consolidated and Annual Action Plans. However, the official HUD-mandated public comment period will be at least 30 days, not including the day of publication, and will generally occur from early July through early August of each year for the Consolidated and Annual Action Plans. The public comment period for amendments to the plans will also be 30 days. The public comment period will end at least 1 day prior to the City's submission of the plan(s) to HUD for review and approval, thus giving staff time to incorporate any comments.

Environmental Review Process: The City will solicit comments and responses from agencies and entities responsible for the evaluating and maintaining the health and environment of the region. City staff will review documentation available from county, state and federal agencies to insure that no negative environmental or social impact results from projects to be undertaken during the year which are categorically excluded but not converting to exempt or require an Environmental Assessment. When required, the City will notify the agencies responsible for overseeing the element of the environment that might be impacted by the project. The agencies will be given at least 30 days to respond to the request for comment.

After sufficient time for the internal review and for any contacted agencies to respond to the notification of projects to be undertaken, the City will notify the public of its intent to conduct the non-exempt projects, its finding of no significant impact, and its intent to request a release of funds from HUD.

1. Public Notification: The public notice for public comment on the Environmental Review Records will combine the Finding of No Significant Impact (FONSI) and Notice of Intent (NOI) to request release of funds and will be posted in the legal notices section of the local general circulation newspaper – the *Baytown Sun* – and on the City’s website. A sample of the public notice is included as Exhibit E.
2. Term of Participation/Comment: The public will be given 18 days, not counting the day of public notice, to comment. The public comment period will end at least 1 day prior to the City’s submission of the Request for Release of Funds (RROF) to HUD for review and approval.

OTHER PROCESSES

Fair Housing:

With each Annual Action Plan the City must certify that it has taken and will continue to take steps to affirmatively further fair housing choice. Positive actions toward reducing or eliminating barriers to fair and affordable housing must occur each year for the City to continue to receive HUD funds. During the Consolidated Planning Process every 5 years, the City will also develop a Fair Housing Plan with an Assessment of Fair Housing (formerly Analysis of Impediments). This plan will outline the actions to be taken during the ensuing 5 years to reduce or eliminate impediments to fair and affordable housing choice. Each year the City must report its progress in implementing the action steps.

The public participation for the development of this plan will coincide with the participation for the Consolidated Plan and be conducted simultaneously, though at least one housing forum will be

held in conjunction with a public hearing to have an open discussion with landlords, realtors, housing developers, subsidized housing providers, public service agencies and advocacy groups regarding fair housing issues. The forum will be open to the public and the comments will be included in the Consolidated Plan and the Fair Housing Plan.

Most of the actions to reduce housing discrimination are the responsibility of the private sector, public service and advocacy agencies and the residents themselves. Throughout the year, the City will have information posted on its website and social media about fair housing choice and the rights of residents. At least one public hearings for the Consolidated Planning process will include a section on fair housing choice and the Fair Housing Act.

Each year a special activity will be planned during Fair Housing Month. The City will post fair housing posters in public locations of public building(s) and will provide posters to public service subrecipients. Information will be provided on the website and with public service agencies about what constitutes a fair housing violation and processes for filing a fair housing complaint.

1. Public Notification: The public notices for the Fair Housing Plan development will be an element of the public notices for the Consolidated Plan and will be placed in the news section of the general circulation newspaper – *Baytown Sun* – as well as on the City’s website.
2. Term of Participation/Comment: Public comments may be submitted at any time, and are generally received for incorporation in the decision-making process and in the final documents from February through approximately August 13 every 5 years for the Fair Housing Plan in conjunction with the Consolidated Plan. However, the official HUD-mandated public comment period will be at least 30 days, not including the day of publication, and will generally occur from early July through early August in conjunction with the Consolidated Plan. In addition, the City maintains a log of all those who inquire about fair housing or wish to file a fair housing complaint. These contacts occur throughout the year.
3. Assisting the Public with Fair Housing Issues: The City has a Fair Housing Officer in the Community Development Division of the Planning and Development Department. Any resident or resident advocate who is the victim of or observes possible fair housing violations may contact the Fair Housing Officer to obtain assistance in determining if the issue is a violation. If the issue is a potential violation the Fair Housing Officer will explain the complaint process and will assist the complainant in filing a fair housing complaint with the U.S. Department of HUD. If the alleged violation could be a violation to the City’s Code of Ordinances, the Fair Housing Officer will alert the appropriate City staff member to investigate the issue and take whatever legal action is indicated.

4. Fair Housing Officer: The Baytown Fair Housing Officer is:

Senior Program Manager
Community Development Division
2401 Market
Baytown, Texas 77520
(281) 420-5390
cdbg@baytown.org

5. Fair Housing Complaints: Complaints may be taken through the HUD on-line complaint form. The complainant may complete the form directly or with the assistance of the Baytown Fair Housing Officer. The complainant may file directly with HUD at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/online-complaint

Or contact the Houston Field Office of HUD at:

FHEO Office
U.S. Dept. of HUD
1301 Fannin
Suite 2200
Houston, TX 77002
713-718-3189

Or contact the Fort Worth Regional Office of HUD at:

FHEO Office
U.S. Dept. of HUD
801 Cherry Street, Unit #45
Suite 2500
Fort Worth, TX 76102
(817)978-5900

Evaluation Process:

Each year the City of Baytown conducts an evaluation of the past year's performance. As part of the evaluation, and as required by HUD, the City develops a Consolidated Annual Performance and Evaluation Report (CAPER). The City notifies the public of the availability the CAPER for review and public comment. The City receives and incorporates any and all public comments into the document.

1. Public Notification: The public notice of the availability of the CAPER for public review/comment will be posted in the local general circulation newspaper. A sample of the public notice is included as Exhibit F.

2. *Term of Participation/Comment:* The public will be given 15 days, not counting the day of public notice, to comment. The public comment period will end at least 1 day prior to the City's submission of the CAPER to HUD for review and approval.

III. CONSOLIDATED PLAN

Every fifth year, the City prepares a 5-year Consolidated Plan to take effect the following year. The Consolidated Plan describes the housing and community development needs and priorities as well as a 5-year strategy for addressing those needs. The City must submit this 5-Year Consolidated Plan to HUD in order to receive the annual CDBG entitlement grant. This document is specifically designed to:



- Promote citizen participation in the development of local priority needs and objectives by providing comprehensive information on the jurisdiction that is easy to understand;
- Summarize statutory requirements in such a manner as to achieve the purpose of these requirements in a comprehensive way;
- Promote the development of Annual Action Plans that coincide with the Consolidated Plans' priorities and provide a basis for assessing performance; and
- Encourage consultation with public and private agencies, including those outside the jurisdiction, to identify shared needs and solutions.

Beginning with the 2020-2024 Consolidated Plan, the City of Baytown must complete an on-line plan in HUD's Integrated Disbursement and Information System (IDIS) as well as have PDF and paper copies available for the public to review. The Community Development Advisory Committee, using the guidance of this Citizen Participation Plan, establishes the goals set forth in the Consolidated Plan. Exhibit B shows a list of the 2020-24 funding priorities derived from a combination of resident responses to a comprehensive survey in English and Spanish, Community Development Advisory Committee priorities, input from stakeholders and from other City departments. In order to solicit a broad range of information from the community, the City conducts:

- A survey of residents through on-line access and paper copy in English and Spanish;
- Group meetings and/or individual meetings and phone interviews with various housing, social service, economic development, advocacy, and community-based organizations; and
- At least 2 public hearings open to all interested parties.

IV. COMMUNITY DEVELOPMENT ADVISORY COMMITTEE (CDAC)



The Community Development Advisory Committee (CDAC) was created by the City Council of the City of Baytown to ensure citizen participation in the planning, implementation, and operation of the Community Development Program.

MEMBERSHIP & TERMS OF SERVICE

Membership:

The CDAC consists of nine members and one youth member (between the ages of 14-18) appointed by the City Council. Six of the committee members are appointed to represent the City Council district in which they live. The youth member and the remaining three members are selected from the city at-large. The CDAC will be comprised of a racially/ethnically diverse membership. The City shall make every effort to include at least one member who is either disabled or represents a disability advocacy group. Each fiscal year, the CDAC chooses a Chairman and Vice-Chairman by majority vote to represent the committee as needed. Exhibit I is a list of CDAC members.

Term of Service:

CDAC members are appointed for two-year, unlimited terms. They are reappointed at the pleasure of City Council at the end of their term. Five members are appointed on odd years and four are appointed on the even years allowing for continuity of the committee. Staff requests City Council to fill any vacancies in compliance with the membership composition requirements.

DUTIES & MEETINGS

Duties of Members:

It is the specific duty of the CDAC to implement this Citizen Participation Plan by holding a series of annual public hearings and meetings to solicit citizen input on community needs, goals, objectives, programs or projects for low to moderate income individuals. The CDAC is the leader in establishing goals for CDBG funds and ensuring those goals remain in the forefront during the implementation of funded programs.

The CDAC is responsible for gaining community input in order to formulate the Consolidated Plan. During the drafting of the Consolidated Plan, the City develops a community survey for on-line or manual response by residents and stakeholders. The CDAC is responsible for assisting the City's

efforts in making the survey known to constituents and soliciting responses. Additionally, the CDAC holds a series of public hearings to ask the community about specific needs that may be addressed using CDBG funds. Once input is gained from the community and area stakeholders, CDAC develops a list of priorities and funding needs. Throughout the next five years, these needs are addressed as funding allows.

Each year, the CDAC reviews submitted funding applications for CDBG funds and holds public hearings to listen to funding requests. Following these hearings, the CDAC prepares a recommendation for the annual budget of CDBG funds. When the CDAC submits the funding recommendation to City Council, it includes a list of possible projects to be funded. Once the recommendation is adopted by City Council and programs are funded, the CDAC is updated on the progress of the programs.

CDAC Meetings and Public Hearing Schedule:

1. February/March/April: The CDAC meets to discuss the Request for Proposal process and to commemorate National Community Development Week. During National Community Development Week, the CDAC receives an update on all currently funded programs. During this time, the CDAC also receives updates on and has a chance to visit some projects funded by CDBG in the past and activities currently being funded by CDBG. If HUD has released information about the upcoming year's funding allocations, the CDAC is informed of the amount of CDBG funds to be anticipated and opportunities for future funding from other sources.
2. May/July: The CDAC holds a series of public hearings regarding the Requests for Proposals. Each applicant agency that is seeking CDBG funding is invited to have a representative speak with the CDAC. The CDAC meets to discuss and recommend a budget for the upcoming program year. The budget is adopted by City Council at a regularly scheduled council meeting in July of each year.
3. November/December: The CDAC meets to discuss the Consolidated Annual Performance Evaluation Report (CAPER) which is a year-end report documenting the performance of each activity undertaken with CDBG funding.

V. CITIZEN PARTICIPATION AND COMMENTS

The City encourages all interested citizens or groups to present opinions or proposals to the City for consideration under the CDBG program. Citizens may become involved by:



- Attending CDBG public hearings and presenting ideas, suggestions, and proposals;
- Attending regular meetings of the CDAC;
- Submitting comments, concerns, and recommendations through email or in writing to City staff or CDAC members;
- Contacting the Community Development Division for discussion, or assistance with preparation of complaints, suggestions, or proposals;
- Contacting individual CDAC members to discuss any part of the program; or
- Pursuing other means of participation that are not mentioned but may be available.

The City and CDAC may also seek public comments, advertise for specific events or solicit public participation for certain programs. At that time, information will be distributed to local organizations and businesses for posting. For example, postings asking for comments or participation regarding housing programs may be distributed to the Baytown Housing Authority, placed at neighborhood parks, schools and churches. Additionally, these types of postings may be sent to businesses serving the area that may be affected by the activity. When seeking public comments from a specific segment of the population or area, the City will make every effort to distribute postings, announcements and flyers to areas that will directly reach the intended audience. Another mechanism to seek public comments is to disseminate announcements through the Bay Area Resource Association (BARA). BARA consists of local non-profits committed to serving the needs of low-moderate income individuals.

Annually, the City solicits citizen participation in the preparation of various documents. Invitations to submit comments will be included with all public hearing notices. The public hearing notice will also specify how to submit a comment and the deadline for submitting such comments. Written comments relating to CDBG may be submitted to the Community Development Division at any time during normal business hours. Additionally, public comments may be submitted in person to the Community Development Division located at 2401 Market Street, Baytown, TX 77520, or via email at CDBG@baytown.org. The public may also choose to attend any CDBG-related public meeting or hearing in order to submit public comments. As they emerge, the City may also seek public comments through other avenues such as social media.

BUILDING COMMUNITY AWARENESS

The City will continue to use the expertise of the Public Affairs Department in the development and distribution of information about the CDBG program. The Public Affairs Department is tasked with keeping residents informed about city policies, programs, services and neighborhoods. Its services to the community currently include:

- News Releases;
- Public service announcements;
- BTV16, the municipal access channel broadcast on cable TV and streamed online with original programming and a rotating informational bulletin board;
- City website that provides information, applications, forms and interactive features such as maps;
- Social media, including Facebook, Twitter and YouTube; and
- The Bridge, a printed quarterly newsletter that is direct-mailed to each Baytown household.



PUBLIC NOTICES OF PROJECTS

1. Notice of Funding Source: All of the displacement/relocation projects undertaken with CDBG funds will have posted an on-site public notice indicating that Federal HUD funds are being used wholly or in part to carry out the activities. This allows the public the opportunity to contact the City or HUD to comment on the project/activity itself or the manner in which the activity is being carried out.
2. Public Notification: The public notice for a public hearing regarding displacement will be posted at least 72 hours prior to the opening of the hearing. The notice will be posted in the *Baytown Sun* and at the site of the pending displacement. The public notice of the funding source will remain on-site during the term of the activity. The notice will be posted during the construction of or improvements to facilities or infrastructure that required the displacement. For major improvements or new facilities, the inclusion of HUD as the funder will be posted in a place visible to the public – either through signage or a notice in the main area of the facility. For housing rehabilitation, a sign in the front yard will be posted during renovations. For public services, a notice may be posted in a public area of the building in which the public service is being conducted. An example of the public notice can be found as Exhibit G.

VI. PUBLIC HEARINGS

Public hearings are formal meetings wherein the Community Development Division and/or the CDAC gather to hear the public's views and concerns about a particular action or proposal. The City is required to consider such comments when evaluating its actions.



All residents of Baytown will be affected, directly or indirectly, by Community Development activities and are encouraged to participate in the planning and implementation of the activities to be undertaken with the CDBG funds. Persons interested in participating, or learning more about the CDBG Program, are urged to attend the public hearings.

PURPOSE OF PUBLIC HEARINGS

HUD requires the City to hold public hearings so that the public can express its views and so that the City can respond to questions and proposals for the use of CDBG funds. According to HUD, public hearings are to be held at all stages of the planning process, including the development of need priorities, allocation for funds to meet the needs, review of proposed activities and review of program performance. The City holds at least three (3) public hearings during the annual CDBG Consolidated Planning and Annual Action Planning process, and during times of amendments to programs, activities or funding allocations. The public is encouraged to attend the November/December meeting(s) of the CDAC to review the CAPER. A formal public hearing may be scheduled for this purpose. If comments are received during these public hearings, a summary of all public comments are submitted to HUD along with the appropriate document.

NOTIFICATION OF PUBLIC HEARINGS

Notices of all public hearings held by the Community Development Division or the CDAC shall be placed in the *Baytown Sun* and by the City Clerk at City Hall at least 72 hours prior to each hearing. In addition, the notice posted by the City Clerk will include an agenda that lists all items to be considered by the committee. City Council meetings at which the development, adoption or submission of each document is to be discussed or considered shall also be convened with at least a 72-hour notice posted by the City Clerk and residents are afforded the opportunity to speak.



Approximately two weeks prior to the first public hearing for the Consolidated Plan and all Annual Action Plans, a notice will be published in the *Baytown Sun* and placed on the City's website. This notice will advise citizens that planning for the use of CDBG funds is underway for the next program year. The notice will include the amount of funds expected to be available,

the types of activities that are eligible for funding and other important program requirements.

All notices for public hearings will state that Spanish translation and interpretive services for the deaf will be made available if requested within 48 hours of the hearing. Occasionally, public hearing notices will be posted at gathering places throughout the CDBG Target Areas. Exhibit C is an example of a Community Development public hearing notice.

TIME AND LOCATION OF PUBLIC HEARINGS

Public hearings and meetings are usually held in the evenings at City Hall, 2401 Market Street or at the Baytown Community Center, 2407 Market Street. The usual time of 5:30 PM allows the greatest number of interested parties to attend. The locations are well known and accessible to all residents. Adequate space is provided to accommodate large resident groups. The meeting places are accessible to the disabled and every effort is made to ensure that there are no physical barriers to attendance. Additionally, these locations are on the transit bus route, which makes it further accessible to low- to moderate-income and/or disabled residents interested in attending the meetings.



The CDAC may elect, and is encouraged, to hold some public hearings and meetings in other neighborhoods that may be affected by the activities of the community development program. Occasionally, public hearings will be held at other venues where at least 51% of the residents in the area are low- to moderate-income (CDBG Target Areas). Examples of other venues include recreation buildings, churches and public schools in the area.

If virtual hearings are used, real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. The virtual hearing method will be used in lieu of in-person hearing if the City of Baytown offices are closed, or an emergency has been declared, or national or local health authorities recommend social distancing that limit public gatherings for public health reasons.

CITIZEN PARTICIPATION AT PUBLIC HEARINGS

During the CDBG public hearings, the public is encouraged to communicate their needs, express preferences in regard to proposed activities, or present comments to be considered by the Community Development Division. Residents may elect to participate at the public hearing or submit a written comment outlining their concerns and/or support of a specific project. Citizen input from public hearings, written comments and suggestions will be incorporated into the applicable document(s) and submitted to HUD for review.

Spanish translation shall be provided at all public hearings and meetings when a large number of those in attendance are Spanish speaking or when requested prior to the meeting. Likewise, when services for the disabled, such as ASL interpretation, are requested prior to the meeting, such services will be provided.



VII. TECHNICAL ASSISTANCE

The City is committed to providing technical assistance to the community to make all knowledgeable about the CDBG program. As awareness of the CDBG Program increases, it is the hope of the City that citizens will contribute ideas to solving some of the community's needs. The Community Development Division staff is available week days from 8:00 a.m. to 5:00 p.m. excluding holidays to:

- Provide technical assistance in preparing proposals to benefit low and moderate-income groups;
- Explain CDBG program requirements;
- Explain the requirements/benefits of all funded activities;
- Discuss proposed and ongoing community development activities; and
- Receive and investigate complaints relating to the CDBG Program.

PUBLIC WORKSHOPS

Annually, in conjunction with the Action Plan, the City of Baytown sponsors a Technical Assistance Workshop that is free of charge and open to the public. At the workshops, attendees are given a brief overview of the CDBG Program and the City's Request for Proposal and budget process. Occasionally, special topics such as "grant writing" are presented. During the workshops, Community Development staff is available to provide one-on-one assistance in the development of proposals and ideas for funding.

Technical assistance in understanding the various program requirements or any other substantive matter relating to the program is available from staff during normal business hours. Spanish summaries of basic information will be made available upon request.

AGENCY TRAINING AND COACHING

During the year, the Community Development Division staff will provide technical assistance to any current or prospective subrecipient of HUD funding or agency seeking to secure and allocate resources in the CDBG Target Areas or for low- to moderate-income residents. The assistance may be in open workshops/trainings or thorough one-on-one sessions with the particular entity. The assistance is aimed at advising, supporting and assisting the agencies to better serve the low- to moderate-income households and CDBG target areas. Also, during monitoring of subrecipients, the staff will provide technical assistance regarding program management, beneficiary eligibility, financial management or any other topics related to the provision of services and management of funds.

Additionally, any subrecipient receiving CDBG funding for the first time receives an on-site monitoring/technical assistance visit by Community Development staff to ensure compliance and successful project completion.



VIII. ACCESSING INFORMATION

Every effort is taken to provide the public with information regarding the CDBG Program as well as addressing each citizen's questions and comments. A written reply to a citizen's written questions, comments, or complaints is prepared as soon as the matter is given careful consideration by the Planning and Development Services Department and discussed with all involved parties.



REQUESTING INFORMATION

Interested parties requesting written information from the Community Development Division must make a written request to the City Clerk's Office through the Public Information Act. Requests to the City Clerk's Office may be made in person or via the City's website at www.baytown.org. Special arrangements may be made for individuals who are not able to visit the City Clerk's Office or the Community Development Division during regular office hours. If applicable, a fee may be assessed for copies of the requested information. Charges for copies will be based on current City of Baytown policies and in accordance with the Public Information Act.

The City will provide a written response to all comments received within fifteen (15) working days of receipt. If a final response is not possible within this period of time, an interim response specifying the reason for the delay and any deliverable information providing that information is currently available. All comments or written ideas which are submitted to the City, will receive a final notice of disposition as soon as possible. Citizens may request access to any non-confidential records regarding the Consolidated Plan activities.

General program information such as guidelines, applications and the like will be made available on the City's website and in the Community Development Office at no charge to the public.

VIEWING INFORMATION

All technical and explanatory information concerning the Community Development Program provided to the CDAC or City Council is available for viewing in the Community Development Office. Other locations where Community Development Planning documents may be made available for citizen review may include: City Hall, local libraries, recreation centers, Baytown Housing Authority and other public facilities. All locations will be in areas where at least 51% of the residents are low to moderate income. When required, there will be at least three copies available in various areas of the City for document review. Most documents may also be available for review on the City's website.

Community Development Division performance reports are provided to City Council monthly and are made available to the public. Copies of all Action Plans, Consolidated Plans, CAPER, Citizen Participation Plan, and other pertinent documents are also available for public inspection during normal operating hours in the Community Development Office located at 2401 Market Street, Baytown, TX 77520.

IX. AMENDMENTS AND/OR RE-ALLOCATION OF FUNDS

HUD allows the City of Baytown the ability to amend the 5-year Consolidated Plan, the Annual Action Plan and the Citizen Participation Plan. When the City elects not to carry out an activity that was previously described and approved by HUD; to substantially change the purpose, scope, location or beneficiaries of an activity; or add a new activity an amendment must be submitted to HUD. In those instances, the City will use the following guidelines in determining when an amendment is substantial or minor. All amendments, substantial or minor, will be included in the CAPER.

SUBSTANTIAL AMENDMENTS

If more than 25% of an individual activity changes from its original purpose, then the amendment is considered a substantial amendment. If the activity is being carried out by a subrecipient or contractor, there must be an amendment to the subrecipient agreement as well as to the Annual Action Plan.

Substantial changes to the Consolidated Plan and/or Annual Action Plan may include, but are not limited to the following:

- Any transfer of funds over 20% of the City's total grant allocation for the fiscal year in which the activity was funded;
- Cancellation of a planned activity;
- Addition of a new activity not previously proposed for public review; or
- Change in the primary purpose or scope of an activity, such as a change in intended beneficiaries or organizational support.

The City will provide the public with a period of not less than thirty (30) days to comment on any substantial amendment before the amendment is implemented. Notices are provided to the public through the *Baytown Sun* and through the City's website. Exhibit D is an example of a Community Development substantial amendment public notice.

The substantial amendment is presented to CDAC for their approval and to recommend to City Council for approval. Once the City Council approves, the substantial amendment is submitted to HUD. As with the other plans, HUD has 45 days to review and approve the amendment. Once HUD has sent formal written approval or the 45 day review period has expired, the funds are transferred to the approved program.

MINOR AMENDMENTS

Other changes to the Consolidated Plan or Annual Action Plan that do not meet the level of a substantial amendment are considered a minor amendment. For example, an amendment to re-allocate less than 20% of the City's annual allocation will be considered a minor amendment.

Minor amendments are posted in the *Baytown Sun* and on the City's website for public comment for at least fifteen (15) days. Minor amendments are reviewed, considered and approved by the CDAC at their publicly, posted meetings, but do not require City Council action. Public comments are solicited and the CDAC votes on the amendment(s). Minor amendments are submitted to HUD as part of the year-end CAPER.

EMERGENCY AMENDMENTS

Occasionally, as in the case of a declared disaster or state of emergency it becomes necessary for the City of Baytown to request a substantial amendment to the Action Plan or Consolidated Plan. During times of a declared disaster or state of emergency, the City may request, and HUD may approve a waiver or reduction in the amount of days required for public notice and/or public comment. If approved by HUD, the City will follow HUD's direction with no further notice to the public. Emergency amendments may utilize a 5-day public comment period instead of a 30-day public comment period, and require the signature of the City Manager or his/her designee. If approved, activities undertaken as a result of emergency amendments will comply with the City's purchasing and contract procurement procedures during the course of the disaster.

RE-ALLOCATING FUNDS

If a funded program is not utilizing or will not utilize all of the awarded CDBG dollars, the unused funds can be re-allocated to a new or existing project.

AMENDING THE CITIZEN PARTICIPATION PLAN

If at any time, it becomes necessary to amend this Citizen Participation Plan, the City will provide public notice in the *Baytown Sun* and on the City's website. The City will provide the public with a period of not less than fifteen (15) days, or in cases of emergency not less than five (5) days to review and comment on the changes. Changes to this Citizen Participation Plan will be approved by the CDAC and by the Baytown City Council prior to submission to HUD.

Changes to the Citizen Participation plan will follow this process regardless of the scope of the change; substantial changes and minor changes will follow the same process.

X. ANTI-DISPLACEMENT AND RELOCATION



Whenever federal funds, such as CDBG are used for projects involving acquisition, rehabilitation or demolition of real property, a federal law known as the Uniform Relocation Act (URA) may apply. The purpose of the URA is to provide uniform, fair and equitable treatment of persons whose real property is acquired or persons displaced as a result of a CDBG-funded project or activity. During the preparation of the Citizen Participation Plan, HUD requires entitlement communities to review all CDBG funded programs to ensure no person is involuntarily removed or displaced from their residential dwelling without providing proper remedies to the household.

DISPLACEMENT

Displaced persons are those individuals, households, or businesses who move from their home or place of business as a direct result of acquisition, demolition or rehabilitation of the property using federal funds. Displaced persons may be eligible for relocation assistance under the URA. However, persons displaced temporarily from their dwelling for less than 12 months while it is being rehabilitated are not considered to be displaced and are not eligible for relocation assistance. All displacement activities will be discussed with the HUD Relocation Specialist to ensure that HUD concurs with the City on whether or not the person is displaced, and meets the criteria for assistance under the URA.

In the event that the City opts to use CDBG funds for an activity that would result in the displacement of renters of residences or commercial property, or other activities that would result in the taking of property through eminent domain, the City will conduct a public hearing for the plan(s), whether or not an amendment to the current Consolidated or Annual Action Plans is required. The City will explain the activity, solicit comments and concerns from the public and outline the displacement process. The activities will be such as to minimize displacement in all ways possible. Should displacement be necessary, the City will provide details concerning its implementation plan, timeline and assurance that there will be no undue burden placed on those affected.

Whenever possible, the City will give minority persons reasonable opportunities to be relocated to decent, safe and sanitary housing not located in an area of minority concentration providing that the dwelling units are within their financial means.

According to 49 CFR 24.2(a)(2)) and 8 CFR 103.12 the City of Baytown legally cannot provide displacement/relocation assistance to aliens no in the United States legally.

Prior to engaging in activities that will cause displacement, the City will provide to HUD a certification that it will comply with the Uniform Relocation Act and applicable program regulations.

The public notice both for displacement and non-displacement will describe the relocation assistance to be provided, and contain the name, address and phone number of the City official responsible for providing the assistance or determining that no assistance is required. Exhibit H is an example of a public notice for displacement and non-displacement.

RELOCATION

In the event that the City initiates an activity that requires displacement that uses CDBG funds, the City must have a plan for temporary or permanent relocation. HUD requires that relocation assistance be provided to persons displaced in connection with federally funded projects and that decent, safe and sanitary housing be available within the displaced person's financial means. Relocation payments may be for actual, reasonable moving costs and related expenses or based on a reasonable fixed schedule. In the cases where the displaced person's move is performed by the City or subrecipient at no cost to the displaced person, the person shall receive a \$100 relocation allowance.

Displaced occupants who have lived in the unit to be vacated for 90 days or more shall receive a rental assistance payment of the difference between the monthly rent and utilities of the vacated dwelling and that of a comparable decent, safe and sanitary replacement dwelling up to a total payment of \$5,250 or a period of 42 months, whichever occurs first.

Displaced owner occupants who have lived in the vacated unit for 180 days or more and whose dwelling has been acquired shall receive an assistance payment of the difference between the acquisition price of the acquired unit and the purchase price of a comparable decent, safe and sanitary replacement unit up to a total payment of \$22,500. Owner occupants who have lived in the acquired unit for 90 to 180 days may be eligible for similar assistance as tenant occupants.

In the case of temporary rental relocation (less than 1 year), all reasonable out-of-pocket expenses incurred in connection with the temporary relocation will be paid, including the cost of moving to and from the temporary housing and any increase in monthly rent and utility costs.

Owners who are being temporarily displaced for demolition/reconstruction or housing

rehabilitation through the use of CDBG funds may or may not be eligible for assistance. If applicable, the City will contact the Relocation Specialist with the Fort Worth HUD Office for clarification.

Any displaced person may file a complaint with the HUD Relocation Specialist in the HUD Region 6 Office in Fort Worth, Texas. Currently, Sara M. Neira is the specialist for Region 6 and can be reached at:

801 Cherry St. Unit #45, Suite 2500

Fort Worth, TX 76102

(817) 978-5937

Sara.M.Neira@hud.gov

1. Notice of Funding Source: All of the displacement/relocation projects undertaken with CDBG funds will have posted an on-site public notice indicating that Federal HUD funds are being used wholly or in part to carry out the activities. This allows the public the opportunity to contact the City or HUD to comment on the project/activity itself or the manner in which the activity is being carried out.
2. Public Notification: The public notice for a public hearing regarding displacement will be posted at least 72 hours prior to the opening of the hearing. The notice will be posted in the *Baytown Sun* and at the site of the pending displacement.

The public notice indicating the funding source being used to carry out the project will remain on-site during the term of the activity. The notice will be posted during the construction of or improvements to facilities or infrastructure that required the displacement. For major improvements or new facilities, the inclusion of HUD as the funder will be posted in a place visible to the public – either through signage or a notice in the main area of the facility. For housing rehabilitation, a sign in the front yard will be posted during renovations.

XI. SECTION 3



Section 3 is a provision of HUD that helps foster local economic development, neighborhood economic improvement, and individual self-sufficiency. The Section 3 program requires that recipients of certain HUD financial assistance, to the greatest extent feasible, provide job training, employment and contracting opportunities to low- to moderate-income residents. Section 3 is a starting point to obtain job training, employment or contracting opportunities leading to self-sufficiency for those who are currently low- to moderate-income.

Section 3 residents are:

- Public housing residents; or
- Those living in Baytown or the immediate area and have a household income that is at or below 80% of the area's median income.

In addition, companies may be a Section 3 business concern if:

- 51% or more is owned by Section 3 residents;
- It employs Section 3 residents for at least 30% of its full-time permanent staff; or
- It provides evidence of a commitment to subcontract to Section 3 business concerns 25% or more of the dollar amount of the awarded contract.

The City of Baytown is committed to providing business opportunities to Section 3 firms, encouraging firms to hire Section 3 employees and to hiring Section 3 employees within the City whenever possible. In conjunction with the annual fair housing event, the City will provide certification forms for firms and individuals to complete to become Section 3 certified. In addition, the City will ensure that social service agencies that serve low-income individuals will distribute information about Section 3 and the Section 3 certifications. The City will coordinate with the Baytown Housing Authority to ensure that the same certifications for the housing authority are being used by the City. The City will provide information to Baytown Housing Authority residents for Section 3 applications for certification. Applications for certification/registration as a Section 3 resident or business concern can be obtained at the City of Baytown's Community Development Division. A copy of the application is included as Exhibit J.

Priority for training and employment under Section 3 is given to:

- Persons in public or other assisted housing;

- Persons in the area of Baytown where the project for which HUD funds are spent, or secondarily residents of other areas of Baytown;
- Participants in HUD Youth build programs; and
- Homeless persons.

Priority for contracting is given to businesses that meet the definition of a Section 3 business concern and are otherwise qualified for and suited for the contract.

More information about Section 3 can be found in Exhibit J and on the HUD website at:

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/section3/section3

XII. COMMENT & COMPLAINT PROCEDURES

The City of Baytown strives to create and maintain an exemplary CDBG program. Its quality strategy involves internal quality assurance, but also the incorporation of resident comments and complaints into a process of continuous improvement.



Complaints about the CDBG program may be made verbally or in writing. Any written complaint made to the City of Baytown about the CDBG program that deals with preparation of the any plans, selection of projects, citizen participation opportunities or the effectiveness/appropriateness of on-going programs or projects shall be answered with a written response within fifteen (15) working days of the date upon which the complaint was received.

Complaints received verbally may receive a verbal response over the telephone or a meeting between the parties may be arranged to discuss the complaint and the response. Documentation of the call or the meeting will be placed in the appropriate project or general file. Some verbal complaints may receive written responses. These and any other written responses to written complaints will be completed and mailed within fifteen (15) working days of the receipt of the written complaint.



If a question or comment has not received a response or was not adequately answered, citizens can object to the approval of the City's Consolidated Plan and/or Annual Action Plan by contacting HUD directly. If objecting to the approval of any one of the aforementioned plans, citizens are urged to contact HUD within thirty (30) days of publication of the Plan. However, complaints must reach HUD before or during HUD's forty-five (45) day review process, if applicable. Specific grounds for objection are that the City (a) did not comply with regulations or that (b) the City misrepresented facts on the preparation of these applicable document(s).

HUD contact:

U.S. Department of HUD – Houston Field Office
Office of Community Planning and Development
1301 Fannin, Suite 2200
Houston, Texas 77002

For more information regarding the City of Baytown Citizen Participation Plan for the CDBG Program or any other elements of the CDBG Program, please contact the Citizen Participation Coordinator at:

City of Baytown

Community Development Division

2401 Market Street

Baytown, Texas 77520

cdbg@baytown.org

XIII. APPENDIX

- Exhibit A: Sample Consolidated Planning Surveys
- Exhibit B: 2020-24 Consolidated Plan Funding Priorities
- Exhibit C: Public Hearing Notice (example)
- Exhibit D: Substantial Amendment Public Notice (example)
- Exhibit E: Public Notice for Environmental Review's (example)
- Exhibit F: Public Notice for CAPER (example)
- Exhibit G: Public Notice for Projects (example)
- Exhibit H: Public Notice for Displacement (example)
- Exhibit I: CDAC Membership
- Exhibit J: Section 3 Applications