

ORANGE COUNTY
BOARD OF COMMISSIONERS

ACTION AGENDA ITEM ABSTRACT

Meeting Date: December 7, 2009

Action Agenda
Item No. 4-f

SUBJECT: Citizen Participation Plan for Housing/Community Development Programs

DEPARTMENT: Housing/Comm. Development

PUBLIC HEARING: (Y/N)

ATTACHMENT(S):
Citizen Participation Plan

INFORMATION CONTACT:
Tara L. Fikes, (919) 245-2490

PURPOSE: To approve the Citizen Participation Plan for use in the implementation of federal and state housing programs.

BACKGROUND: Citizen participation is an essential component in the planning, development and implementation of all federal and state funded housing programs. A Citizen Participation Plan sets forth a process to allow citizen input at all stages of housing program implementation as well as during the evaluation and monitoring phases.

The most recent Citizen Participation Plan for Orange County was approved on May 8, 2002. During a recent visit from the state Community Development Representative, it was noted that the Board should formally adopt this Plan for every grant year. Therefore, staff is presenting the Citizen Participation Plan for formal adoption this year. The language in the Plan has not been changed from the May 2002 version.

Adoption of this policy is a requirement for continued participation in NC Small Cities CDBG Program and the federal HOME Investment Partnership Program.

FINANCIAL IMPACT: None.

RECOMMENDATION (S): The Manager recommends that the Board approve the Citizen Participation Plan for use in the implementation of federal and state housing programs.

**ORANGE COUNTY
CITIZEN PARTICIPATION PLAN
FOR
HOUSING AND COMMUNITY DEVELOPMENT PROGRAMS**

PURPOSE

The purpose of this Citizen Participation Plan is to set forth a process that will give citizens an opportunity to participate in an advisory role in developing applications for funding, program implementation, monitoring and evaluation of Orange County housing and community development programs. This plan is written in accordance with NC Community Development Block Grant Regulations as well as Consolidated Plan regulations found in 24 CFR Section 91.105.

The Orange County Board of Commissioners adopted the original Citizen Participation plan on December 5, 1988 and in August 1996, the Plan was amended to specifically reference the Consolidated Plan requirements and to broaden the applicable programs and/or activities beyond the Community Development Program.

STATEMENT OF INTENT

The County of Orange recognizes that citizen participation is an essential component in the planning and development of our housing and community development programs. It is our intent to provide citizens with adequate information and opportunity to participate in every aspect of our program. Specifically, the goals of the plan include the following:

1. Provide for the institution and operation of a Citizen Participation process whereby citizen representatives adequately reflect the geographic areas and social, ethnic and economic groups of the County.
2. Provide for continuing direct access for citizen representatives to the Board of Commissioners, the County Manager and other County staff in order to increase citizen involvement and contributions in the Community Development process.
3. Provide citizens with timely and current information concerning public resources, plans and programs for the utilization of these resources and other activities afforded the citizens.
4. Provide the Board of Commissioners, the County Manager and other County and Town officials with timely and current information regarding citizens' needs, plans, projects, relative priorities and recommendations for action by the County.

STANDARDS FOR CITIZEN PARTICIPATION

The County shall provide a process for citizen participation at the county and/or neighborhood level, as appropriate, which shall include the following:

1. All aspects of citizen participation shall be conducted in an open manner, with freedom of access for all interested persons.
2. Low and moderate income citizens, members of minority groups, special population groups residents of neighborhood revitalization areas or others directly affected by proposed housing and community development programs shall be encouraged to participate in the various phases of program development and implementation.
3. All reasonable efforts shall be taken to ensure continuity of participation by citizens and citizen organizations throughout various stages of program development and implementation.
4. Adequate and timely information will be provided to citizens in order to facilitate their meaningful participation.

5. All citizens shall be provided an opportunity to submit their views and proposals during all phases of program design and implementation.
6. Ethnic and culturally diverse members of the community shall be encouraged to participate on any countywide or community based advisory committees established in conjunction with housing and community development activities.

PROCESS OF CITIZEN PARTICIPATION

The County shall provide adequate information to citizens, hold public hearings to obtain views regarding application development and program implementation, and provide citizens with an opportunity to comment on program performance. The role of citizens will be specified in this Plan. The Housing and Community Development Department, under the direction of the County Manager, has primary responsibility for administering housing and community development programs in the County. Therefore, this department shall facilitate citizen participation as outlined below.

PROGRAM/PLAN DEVELOPMENT

CONSOLIDATED PLAN

During the development of the Consolidated Plan, the County will consult the local public housing authorities, residents of public and assisted housing developments, local housing development non-profit agencies as well as other interested citizens to assess the housing needs of the community. A public hearing will be held to provide an opportunity for the public to provide their assessment of housing needs and priorities prior to publishing the proposed Consolidated Plan.

A summary of comments received in writing or orally at the public hearings will be prepared and attached to the final Consolidated Plan.

After this hearing, the County will make available the Proposed Consolidated Plan for Orange County for public comment for a period, not less than thirty (30) days. Notice regarding the location of the Plan document and the process for commenting will be provided to the abovementioned groups by individual mailings and to the general public by advertisement in the Chapel Hill Herald/The Herald-Sun. At a minimum, a copy of the document will be placed in the Chapel Hill Library and the Orange County Library. The document will also be available for review on the County's internet site. Special attention will be given to making reasonable accommodations to provide the plan document to persons with disabilities upon request.

A summary of comments received during the comment period will be prepared and attached to the final Consolidated Plan.

CONSOLIDATED PLAN AMENDMENTS

The Consolidated Plan may be amended for the following reasons:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an activity, using funds from any program covered by the Consolidated Plan not previously described in the Action Plan;
3. To change the purpose, scope, location, or beneficiaries of an activity.

A substantial amendment is considered to be Item #1. In this case, a public hearing will be held to provide an opportunity for the public to respond to the proposed amendment prior to HUD submission. All other changes shall be considered non-substantial and will be communicated to County and Town officials for their review and approval prior to submission to HUD.

A summary of comments received in writing or orally at the public hearing will be prepared and attached to the Consolidated Plan Amendment submitted to HUD.

SMALL CITIES COMMUNITY DEVELOPMENT PROGRAM

Prior to the development of a Community Development Application, a public hearing will be held to receive comments from the public regarding community needs. All comments received will be considered in designing an application that meets the County's needs.

A second public hearing will be held after the application has been prepared, but, before submission to the appropriate state agency.

PROGRAM IMPLEMENTATION

Continuity of participation shall be provided through the Community Development Advisory Committee which is composed of citizen representatives of the community and which is reflective of the diversity present in Orange County. This committee is appointed by the Orange County Board of Commissioners and is responsible for monitoring the County's housing and community development programs. Also, Periodic public meetings may be held to disseminate important programmatic information such as major regulation changes.

PERFORMANCE ASSESSMENT

Within sixty days of the end of the federal fiscal year, the County will prepare an Annual Performance Report for submission to HUD. A public hearing will be held to provide citizen comments regarding the organization's performance prior to submission of the report to HUD.

In addition, the Performance Report will be made available in each town in the County for public review and comment for a minimum period of 15 days not to exceed 30 days.

Notice regarding the location of the Plan document and the process for commenting will be provided to the abovementioned groups by individual mailings and to the general public by advertisement in the Chapel Hill Herald/The Herald-Sun. Special attention will be given to making reasonable accommodations to provide the plan document to persons with disabilities upon request.

MEETINGS AND PUBLIC HEARINGS

All Housing and Comity Development related meetings and public hearings shall be timely, held at convenient times and at readily accessible locations. A notice of meetings and public hearings will be published in the Chapel Hill Herald/Herald-Sun as well as delivered to citizen groups and social service agencies. These meetings and public hearings shall provide for broad citizen participation and make possible arrangements for full involvement by the handicapped, elderly, and other special populations. Minutes or summaries that record the content of all public hearings shall be retained by Orange County.

All public hearing notices shall be published in accordance with applicable Federal and/or State regulations. Unless superseded by these regulations, all notices shall be published a minimum of ten (10) calendar days but not more than 25 days prior to the public hearing. Such notices shall be published a minimum in The Chapel Hill Herald/Herald-Sun and will indicate the time, location, date, procedures, and topics to be discussed.

The Orange County ADA Coordinator may be contacted to make reasonable accommodations under the Americans with Disabilities Act.

TECHNICAL ASSISTANCE

Resources must be made available to provide technical assistance to group's representative of low and moderate-income persons. The assistance may range form grant writing seminars to help in establishing a non-profit organization.

COMPLAINTS

A complaint is "a claim concerning any action on the part of a department or contract agency or firm involved in carrying out the County's housing and community development programs based upon an event or condition which affects the circumstances under which a citizen lives, allegedly caused by misinterpretation, unfair application, violation of contract or lack of established policy pertaining to program implementation and which the complainant feels infringes upon the health, safety, welfare or right to due process for himself/herself or his/her family, property or personal possessions.

A citizen may file a written or verbal complaint regarding the Consolidated Plan, its amendments, Annual Performance Report. In addition, a resident beneficiary of County administered housing and community development programs may file a written or verbal complaint to the County Housing and Community Development Department. Within five (5) working days the Department shall respond in writing to the complaint.

If the complainant is dissatisfied with the response, he or she can appeal in writing to the Orange County Manager. The County Manager has ten (10) working days to respond in writing to the complaint. The decision of the County Manager shall be final.

ACCESS TO RECORDS

The County shall provide full public access to program information and will make good faith efforts to keep citizens informed, consistent with the rights of privacy and obligations of confidentiality.

Program files regarding program utilization and are located in the office of Orange County Housing and Community Development office and are available upon request. Further, copies of the Consolidated Plan are kept in each Public Library in the county and will be made available on governmental web sites as technologically possible.

EFFECTIVE DATE

This plan was adopted on December 7, 2009 and supersedes all previously written Citizen Participation Plans. The Board of Commissioners must approve all future amendments to this plan.

CDBG Grant Numbers: 05-C-1454; 07-C-1668