

RESOLUTION NO. 4412
(CDBG and HOME Program Citizen Participation Plan)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HENDERSON, NEVADA, ADOPTING AND APPROVING AN AMENDMENT TO SECTION 3.2 OF THE CITIZEN PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS (HOME) PROGRAMS TO PROVIDE FUNDING RECOMMENDATIONS FOR THE CDBG PROGRAM ON A BIENNIAL BASIS.

WHEREAS, the City of Henderson is a recipient of Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) program funding as administered by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, the Community Development and Services Division of the City of Henderson has prepared the Citizen Participation Plan consistent with CDBG and HOME program regulations and requirements; and

WHEREAS, the Citizen Participation Plan will encourage citizen participation within the CDBG and HOME program stages including planning, implementation, and assessment, with particular emphasis on participation by persons of low and moderate income; and

WHEREAS, the Citizen Participation Plan will also provide citizens with reasonable and timely access to local meetings, information and records relating to the proposed and actual use of CDBG and HOME program funds; and

WHEREAS, the Citizen Participation Plan will also provide for technical assistance to groups and representatives of low- and moderate-income persons that request assistance in developing proposals; and

WHEREAS, the City of Henderson will also provide for public hearings to obtain citizen participation and respond to proposals and questions at all stages of the CDBG and HOME programs; and

WHEREAS, the CDBG Program Advisory Committee (PAC) will evaluate funding applications on a biennial basis; and

NOW, THEREFORE, be it resolved by the City Council of the City of Henderson that:

SECTION 1: The City Council of the City of Henderson has reviewed and is familiar with the contents of the Citizen Participation Plan, as depicted in Exhibit A, attached hereto, containing ten pages.

SECTION 2: The City Council of the City of Henderson hereby approves said Citizen Participation Plan, for immediate implementation as a part of the City's CDBG and HOME program activities.

SECTION 3: The City Council of the City of Henderson hereby declares that this Citizen Participation Plan supersedes any previously adopted community development citizen participation plans.

SECTION 4: The City Manager/CEO, or his designees, are authorized to take all necessary action to effectuate this Citizen Participation Plan.

BE IT FURTHER RESOLVED that this resolution is effective upon adoption unless stated otherwise.

PASSED, ADOPTED, AND APPROVED THIS 20TH DAY OF OCTOBER, 2020, BY THE FOLLOWING ROLL-CALL VOTE OF COUNCIL.


Those voting aye:
John F. Marz, Mayor Pro Tem
Councilmembers:
Michelle Romero
Dan H. Stewart

Those voting nay: None
Those abstaining: None
Those absent: Debra March, Mayor
Dan K. Shaw, Councilman



John F. Marz, Mayor Pro Tem

ATTEST:



Stacey Brownfield, MMC, Asst City Clerk

EXHIBIT A

CITIZEN PARTICIPATION PLAN

CITY OF HENDERSON

CITIZEN PARTICIPATION PLAN

**Community Development Block Grant
HOME Investment Partnerships**

SECTION 1. INTRODUCTION AND SCOPE OF PARTICIPATION

The City of Henderson has designed this Citizen Participation Plan (CPP) to provide for and encourage citizen participation in the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) programs. This CPP is an essential element of the City's community development process and has been developed to comply with the regulations and requirements of the CDBG and HOME programs as administered by the U.S. Department of Housing and Urban Development (HUD).

The primary goal of this CPP is to provide all citizens adequate opportunity to participate in the planning, implementation, and assessment of the CDBG and HOME programs. The CPP sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the process, with special emphasis on encouraging participation by persons of low and moderate incomes and residents of areas where community development funds are utilized.

This CPP provides opportunities for citizens, local and regional institutions, Continuums of Care organizations, real estate developers, nonprofit organizations, community and faith-based organizations to actively participate in the development of activities and projects proposed with federal resources. The City highly encourages input from citizens living in areas designated by the City as revitalization areas, slum and blighted areas and neighborhoods where CDBG funds are supported.

This CPP encourages participation by residents of the Southern Nevada Regional Housing Authority (SNRHA) including their resident councils, resident advisory boards and resident management corporations. The City will consult with the SNRHA on public housing needs and updates on the affirmatively furthering fair housing strategies. The CPP gives citizens reasonable and timely access to local meetings, opportunities to review proposed activities and program performance.

The City of Henderson will undertake efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all CDBG and HOME programs undertaken by the City. The Community Development & Services Department is responsible for implementation of this CPP. The City will make reasonable effort to involve citizens and stakeholders in the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. Identification and assessment of housing and community development needs; determination of CDBG project(s) and documentation; and the development of CDBG and HOME applications;
- b. Changes and/or amendments to approved CDBG and HOME projects; and,
- c. Assessment of CDBG and HOME program performance.

All phases of the process will be conducted by local officials in an open manner. Citizens and stakeholders are encouraged to participate at all levels and will be given access to program information during each phase of the programs as outlined herein.

SECTION 2. TECHNICAL ASSISTANCE

The staff of the City of Henderson, Community Development & Services Department will provide technical assistance —such as applications assistance and trainings — to individual citizens and citizen and nonprofit groups, with particular attention to those groups representative of persons of low or moderate income, as may be required to adequately provide for citizen participation in the planning, implementation and assessment of CDBG and HOME programs.

Such technical assistance is intended to further meaningful citizen participation in the community development decision making process. Technical assistance will also be utilized to foster public understanding of CDBG and HOME program requirements.

Technical assistance will be provided on request and may include, but not necessarily be limited to: interpreting the CDBG and HOME program and its rules, regulations, procedures and other requirements; providing information and/or materials concerning the programs; and, assisting low and moderate income citizens, and residents of blighted neighborhoods to develop statements of views, identify their needs, and to develop activities and proposals for projects which, when implemented, will advance the resolution of those needs.

Technical assistance may be obtained by contacting the Community Development & Services Department at 702 267-1500, or through the City of Henderson website or Contact Henderson, both available at www.cityofhenderson.com.

SECTION 3. CITIZEN INPUT REVIEW AND COMMENT ON DRAFT PLANS

The City of Henderson will maintain complete information on the CDBG and HOME programs, including drafts and submitted plans and reports, on its website, and make copies available to the public upon request to the Community Development & Services Department.

3.1 Consolidated Plan Development

The City will seek input from residents regarding the priority of community development and affordable housing needs, prior to drafting the Five-Year Consolidated Plan for the CDBG and HOME programs. Special efforts will be made to include participation from persons of low and moderate incomes and groups representative of such citizens. The City will make the draft Consolidated Plan available for public review and comment for a period of not less than 30 days prior to a public hearing to consider approval. Outreach efforts will work to achieve substantive input through a variety of approachable and tailored methods by audience including specific efforts and emphasis

to reach marginalized groups through targeted outreach and strategic event attendance.

3.2 Annual Action Plans

The City will utilize a Program Advisory Committee (PAC) to evaluate biennial CDBG funding applications. Members of the PAC will be appointed by the City Council in accordance with the established Bylaws. Recommendations from the PAC will be included in a draft Annual Action Plan which will include proposed CDBG and HOME project funding allocations, and which will be made available for public review and comment for a period of not less than 15 days. The PAC will present its recommendations for CDBG activity funding during a public hearing conducted at a regularly scheduled City Council meeting to receive oral and/or written recommendations and comments from the general public. For its use throughout this document, the term "written" refers to comments received online, in the mail, and in-person.

3.3 Annual Assessment of Performance

At the conclusion of each CDBG and HOME program year, a Consolidated Annual Performance and Evaluation Report (CAPER) will be developed to review program activities and to assess program performance. This report will be made available to the public for review and comment for a period of not less than 15 days prior to City Council approval and submission of the CAPER to HUD.

Citizens are provided the opportunity to comment on the performance of the City and assess the performance of the City in resolving identified community development and housing needs, and in achieving its community development goals and objectives.

A public hearing will be held during a regularly scheduled City Council meeting to receive recommendations and comments from the general public. All comments received during the review and comment period both orally and in writing will be considered when preparing the CAPER. On-going community assessment of the effectiveness of the community development process is considered essential to the success of the CDBG and HOME programs.

SECTION 4. PUBLIC HEARINGS

Citizen participation in the community development process will be conducted on a community-wide basis and will actively involve the views and proposals of all citizens, with particular attention to low-and moderate-income persons and residents of areas where CDBG and HOME activities are proposed or on-going.

During public hearings for the Consolidated Plan, Annual Action Plan and CAPER, all public comments, questions, and feedback will be submitted orally and in writing to the Community Development & Services staff.

A minimum of two (2) public hearings will be held during the community development process to allow citizens a voice regarding the priority needs and development and performance of CDBG and HOME programs. Public hearings will be conducted at two different stages of the program year. The public hearings will collectively address housing and community development needs, development of proposed activities, program performance review and substantial amendments

Public hearings will be held during all phases of the community development process, as outlined herein, to allow citizens to voice opinions orally or in writing to offer proposals concerning the development and performance of CDBG and HOME programs. Local officials will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific CDBG or HOME project either orally or in writing to the Community Development & Services staff.

4.1 Public Hearing Times and Locations

All public hearings will be held at times and locations which will be accessible to all citizens, with particular attention to persons of low and moderate incomes, and residents of CDBG and HOME project areas.

Public hearings will be scheduled for times convenient to the general public, as determined by the City Council. Public hearings may be held at any site which, in the opinion of the local officials, provides adequate access for citizen participation.

Hearings will normally be held at City Hall in City Council Chambers during regularly scheduled City Council meetings. The site is centrally located and generally accessible to all citizens, including persons with disabilities. Hearings may, however, at the option of local officials, be held at alternate locations to be specified in the public hearing notice(s), or, in the event of a public health emergency such as the COVID-19 outbreak, arrangements for virtual participation by the public via videoconferencing, webcasting or any other technique by which participants will be able to submit oral or written comments and questions.

4.2 Annual Action Plan Public Hearing

At least one public hearing will be held during any program fiscal year prior to the submission of an application to HUD for CDBG and/or HOME assistance. The primary purposes of the public hearing will be to notify the public and receive comments either orally or in writing on the proposed annual program activities which have been selected by the City to address the identified needs.

Citizens will be provided information concerning the CDBG and HOME programs at this public hearing. Such information will include the goals and objectives of the CDBG program; the total amount of CDBG funds available; the program income the City expects to receive and a description of the types of activities that can be funded with these resources; the role of citizens in program planning, implementation, and assessment; the range of activities which may be undertaken; the process to be followed in developing the CDBG and HOME application; the application timetable(s); the schedule of meetings and hearings; and, an identification of projects which could result in the relocation of area residences or businesses and the actions that would be undertaken if such relocation were necessary.

A second objective of citizen participation during this stage is to inform citizens of the proposed project activities to be included in the CDBG and HOME application and to solicit comments from citizens concerning these activities.

4.3 Substantial Amendment Public Hearings

The City of Henderson will assure the opportunity for citizen participation during the implementation of any CDBG and HOME programs when changes to the project are under consideration. Citizen participation will be obtained and considered in any amendments to CDBG and HOME programs. A substantial amendment is defined as a significant change in the dollar amount spent on activities, changes in program beneficiaries, changes in the geographical location of approved activities, and changes to activities using funds from any program covered by the consolidated plan including program income, not previously described in the action plan. Minor budgetary revisions to the Consolidated Plan, which are defined as changes that do not exceed 25 percent of the original budget amount does not constitute a significant change and therefore will not constitute a substantial amendment and will be made without a public hearing.

4.4 Public Hearing Notice

Notice of public hearings will be published in a local newspaper of general circulation, the City's official posting locations and utilizing available online media avenues such as the City's website, social media and other outlets as applicable seven (7) days prior to the hearing date. The City may waive hearing notice requirements in cases where unusual circumstances justify alternative means of notifying the general public. In such situations, shorter notice may be given, and public notices posted in public places may be used in place of a notice published in the newspaper. Each notice of a hearing will include the time, date, place, and topics and procedures to be discussed. Notices for public hearings may be run or posted, separately or together, as may be deemed necessary.

4.5 Accessibility to Persons with Disabilities

The locations of all public hearings will be made accessible to persons with

disabilities. Accommodations are available to ensure that individuals with disabilities can participate. The City shall provide reasonable accommodations whenever the City is notified in advance that a request for a reasonable accommodation has been made. .

4.6 Limited English Proficiency Residents

The City of Henderson recognizes the need to undertake reasonable actions to facilitate the participation of persons with Limited English Proficiency. Local officials will undertake all reasonable actions necessary to allow such persons to participate in the community development process. Such actions may include the provision of an interpreter and/or the provision of materials in the appropriate language or format for persons with Limited English Proficiency.

4.7 Regional Analysis of Impediments to Fair Housing Choice

Citizens are encouraged to participate in the development and/or revisions of the Regional Analysis of Impediments to Fair Housing Choice (RAI). The Fair Housing Act prohibits discrimination and mandates HUD funded programs to take significant actions to promote fair housing choice and foster inclusive communities that are free from discrimination.

Any revisions to the RAI are designed to utilize outreach, maximize input by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted area and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction must take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons as well as persons with disabilities.

The CPP will provide a period of 30 calendar days and a public hearing to receive oral or written comments on any revision made to the AFH before the plan is submitted to HUD for review. During this period, the Community Development & Services Department will consider any comments or view of citizens of the community.

SECTION 5. PROGRAM INFORMATION

Citizens will be provided full access to CDBG program information during all phases of a CDBG project. The City will make reasonable effort to assure that CDBG and HOME program information is available to all citizens, with particular attention to those of low and moderate incomes and/or CDBG and HOME project areas.

To facilitate citizen access to CDBG and HOME program information, the Community Development & Services Department will keep all documents related to the CDBG and HOME programs on file in the Community Development & Services Department and information from the project files will be made available for examination and duplication, on request, during regular business hours. CDBG and HOME program

information will also be made available on the Community Development & Services webpage on the City of Henderson's website.

Materials to be made available will include, but are not necessarily limited to: the CPP; records of public hearings; prior CDBG and HOME program applications; letters of approval; grant agreements; labor standards materials; performance and evaluation reports; other reports required by HUD; proposed and approved CDBG and HOME program application(s) for the current year; written comments or complaints received concerning the programs; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG and HOME programs.

5.1 Citizen Participation Coordinator

The Community Development & Services staff will address all matters concerning citizen participation. The citizen participation responsibilities will include organizing public hearings and meetings, scheduling meetings with neighborhood and civic groups, receiving and responding to all written comments and complaints regarding activities funded through the Consolidated Plan, ensuring distribution of citizen complaints and preparing all amendments.

SECTION 6. PROCEDURES FOR COMMENTS, OBJECTIONS AND COMPLAINTS

The scheduled public hearings described in this CPP are designed to facilitate public participation in all phases of the community development process. Citizens are encouraged to submit their views on all aspects of programs during review and comment periods and public hearings. However, to ensure that citizens are given the opportunity to assess and comment on all aspects of the community development program on a continuous basis, citizens may, at any time, submit written comments or complaints to the City.

Citizens or citizen's groups desiring to comment or object to any phase of the planning, development, approval or implementation of CDBG and HOME activities should submit such comments or objections in writing to the City through a progressive level of review. The initial comment or objection should be sent to the Director of Community Development & Services. Should, after a reasonable period, a party believe the comment or complaint has not been properly addressed or considered, then the aggrieved may appeal his/her case to the City Manager, and finally, after a reasonable period of time, to the City Council.

Local officials will make every effort to provide written responses to citizen proposals or complaints within fifteen (15) working days of the receipt of such comments or complaints where practicable. Should the City Council be unable to sufficiently resolve an objection or complaint, it may be forwarded by the aggrieved party to HUD.

Citizens may, at any time, contact HUD directly to register comments, objections or complaints concerning the City's CDBG and HOME application(s) and/or program(s). Citizens are encouraged, however, to attempt to resolve any complaints at the local level as outlined above prior to contacting HUD.

All comments or complaints submitted to HUD should be addressed in writing to:

U.S. Department of Housing & Urban Development
Attn: Community Planning and Development Representative
1 North Central Ave., Suite 600
Phoenix, AZ 85004

Or:

U.S. Department of Housing and Urban Development
Attn: Community Planning and Development Division
One Sansome Street, 3rd Floor,
Suite 1200
San Francisco, CA 94104

SECTION 7. AMENDMENTS

The City may, from time to time, modify the provisions of this CPP through amendment. It is the policy of the City of Henderson to periodically review the effectiveness of this CPP in facilitating citizen participation in the process and in helping to meet the community development needs and goals identified. To this end, the effectiveness of the CPP may be discussed at public hearings held in conjunction with the community development program as discussed herein, and potential amendments to the CPP will be reviewed.

All amendments must be approved by resolution of the City Council and will be incorporated into this CPP.

SECTION 8. AUTHORITY

No portion of this CPP may be construed to restrict the responsibility and authority of the elected officials of the City of Henderson in the development, implementation and execution of any CDBG and HOME program.

This CPP was first adopted February 2, 2010

Amended April 2020

SAMPLE REVIEW/COMMENT AND PUBLIC HEARING NOTICE

**CITY OF HENDERSON
Draft Five Year Consolidated Plan for Fiscal Year 2020-2024 and Draft One
Year Annual Action Plan for FY 2020/2021**

Notice is hereby given that the City of Henderson's One-Year Action Plan is available for public review and comment beginning Wednesday, March 18, 2020 through April 20, 2020 at the following locations:

City of Henderson Community Development & Services Department
240 Water Street, 1st floor, Henderson, NV 89015
Monday thru Thursday, 7:30 A.M. to 5:30 P.M.

City of Henderson Website: www.cityofhenderson.com

Notification of the draft One Year Action Plan will be posted at the following locations:

Henderson City Hall
240 Water Street 1st floor Lobbies
Henderson, NV

Multigenerational Center
250 South Green Valley Parkway
Henderson, NV

Whitney Ranch Recreational Center
1575 Galleria Drive
Henderson, NV

Fire Station No. 86
1996 E. Galleria Drive
Henderson, NV

City of Henderson Website: www.cityofhenderson.com

The Draft Consolidated Plan and Draft Annual Action Plan may also be viewed on the Community Development & Services webpage on the City's website, www.cityofhenderson.com/conplan. The City of Henderson's Consolidated Plan and Annual Action Plan is a document required by the U.S. Department of Housing and Urban Development that details the City's plan and guidelines for the use of federal, state, and local resources to provide decent housing, a suitable living environment and expanded economic development opportunities for low and moderate-income persons and families and those with special needs. The Consolidated Plan and Annual Action Plan summarizes all planned Community Development Block Grant (CDBG), HOME and related activities contemplated for the next (5) five years and the 2020-2021 fiscal year.

The public is invited to review the Draft Consolidated Plan and the Draft Annual Action Plan and make written comments to the City of Henderson, Community Development & Services Department, at 240 Water Street, Henderson, NV 89015, submitted by 12:00 p.m., Monday, April 20, 2020. Comments may also be sent via email to Senta.Robinson@cityofhenderson.com. All comments will be responded to in writing within 10 days of receipt. Copies of these reports are available upon request.

A public hearing will be held at the City of Henderson, City Council Chambers on Tuesday, April 21, 2020 at 6pm to consider additional comments for the City of Henderson's Draft Five-Year Consolidated Plan for FY 2020-2024 and Draft Annual Action Plan for FY 2020-2021.