

CITY OF CUPERTINO

CITIZEN PARTICIPATION PLAN FOR THE DEVELOPMENT OF THE CONSOLIDATED PLAN, AMENDMENTS TO THE PLAN, ANNUAL ACTION PLAN AND ANNUAL PERFORMANCE REPORT

**Adopted by City Council on June 2, 2020
Resolution No. 20-067**

In accordance with the requirements of Federal law, the City of Cupertino (City) hereby provides its plan for citizen participation in the City's Community Development Block Grant (CDBG) Program. This plan applies to citizens, nonprofit organizations, and other interested parties.

GOALS/OBJECTIVES

The objective of the CDBG Program is to provide decent housing and a suitable living environment, and to expand economic opportunities, principally for persons of low income (up to 80 percent of area median income), as defined by the U.S. Department of Housing and Urban Development (HUD). In addition, the program is directed toward the provision of improved community facilities and services.

CONSOLIDATED PLAN

Per Federal Regulations, the City will produce and follow a Consolidated Plan, defined as a five-year comprehensive planning document which identifies the City's overall needs for affordable and supportive housing as well as non-housing community development needs and identifies the resources expected to be available to address the identified needs. The Consolidated Plan includes the following documents:

- a five-year Strategic Plan which provides a five year strategy for use of available resources to meet the identified needs and describes the actions, programs, objectives, and projects to be undertaken during the five-year period
- a one-year Action Plan which is prepared annually and describes the activities the City will undertake during the upcoming program year using available funds for meeting the objectives identified in the Strategic Plan
- an annual Performance Report which identifies the accomplishments in meeting the goals and objectives of the preceding year Action Plan

As part of this consolidated planning process, the City will make funding applications available, accept requests for funds from eligible organizations, and make funding decisions, based on the identified goals and objectives in the Strategic Plan.

POLICY

It is the intent of the City to provide for and encourage citizen participation with particular emphasis on participation by persons of lower income who are residents of areas in which CDBG funds may be spent. The City encourages the participation (in all stages of the Consolidated Planning process) of all its residents, including minorities and non-English speaking persons, as well as persons with mobility, visual or hearing impairments, and residents of assisted housing developments and recipients of tenant-based assistance.

PARTICIPATION

In order to encourage citizen participation by low income residents, minorities, non-English speaking residents as well as persons with mobility, visual or hearing impairments, in the development of the Consolidated Plan, Amendments to the Plan, Action Plan and Performance Report, the City will carry out the following activities:

- In the case where a significant number of non-English-speaking residents can be expected to attend public hearings, the City will provide reasonable accommodations by hiring a translator to assist the non-English speaking residents to communicate during the public hearing.
- Where feasible, a display ad will be placed in the local newspaper, The Cupertino Courier. A mailing list of interested persons and groups will be maintained and will be used to mail announcements.
- Announcements of upcoming hearings and Consolidated Plan activities will be sent to the managers of subsidized housing with the request that the notices be distributed to each of the tenants in the complex.
- Announcements of upcoming hearings and Consolidated Plan activities will be sent to agencies which provide services to low income residents, with the request that the information be distributed to their clients.
- Information regarding hearings and Consolidated Plan activities will be sent to the local Housing Authority so the information can be made available at the annual public hearing required for the Public Housing Agency Plan.

ACCESS TO INFORMATION

Interested parties will have reasonable and timely access to the following information and records relating to the City's Consolidated Plan and use of CDBG funding during the past five years:

- Consolidated Plan and any amendments, Action Plan, Annual Performance Report
- Any staff reports regarding the CDBG and Programs
- Applications submitted for funding consideration
- The amount of CDBG funds available and the range of activities to be undertaken, as well as the amount of funding that will be used to benefit very low and low income residents
- CDBG Program records for the past five years
- Information regarding upcoming meetings and records relating to the proposed use of funds.

PUBLISHING THE PLAN

The City shall publish its proposed Consolidated Plan submissions so that affected citizens have sufficient opportunity to review the material and provide comments. The City will carry out the following:

Consolidated Plan and Annual Action Plan

- A summary of the proposed Consolidated Plan submission will be published in one or more newspapers of general circulation. The summary will describe the contents and purpose of the Consolidated Plan and will include a list of locations where copies of the entire plan may be examined. A minimum of 30 days will be provided for public comments on the Consolidated Plan submission.
- The City will make copies of the proposed Consolidated Plan available at the Library and City Hall. In addition, a reasonable number of free copies of the plan will be provided to citizens and groups that request them.
- A mailing list of interested parties will be maintained and a summary of the proposed Consolidated Plan submission will be mailed to persons and groups on this list.

- In preparing the Consolidated Plan, the City shall consider and address all comments or views of citizens, public agencies and other interested parties received in writing or orally at public hearings.

Annual Performance Report

- A notice will be published in one or more newspapers of general circulation notifying citizens of the availability of the Annual Performance Report. The notice will include a list of locations where copies of the entire Annual Performance Report may be obtained. A minimum of 15 days will be provided for public comments on the Annual Performance Report before it is submitted to HUD.
- The City shall consider all comments or views received in writing or orally at public hearings in preparing the Annual Performance Report and a summary of these comments shall be attached.

PUBLIC HEARINGS

- The City will provide a minimum of two public hearings per year to obtain citizens' views and to respond to proposals and questions. The hearings will be held at two different stages of the program year.
- All public hearings will be held at times and locations convenient to potential and actual beneficiaries and with reasonable accommodations for persons with disabilities. In general, hearings will be held in the evening at City Hall due to its central location, convenient access and handicap accessibility. Translation services will be provided when there is an indication that non-English speaking persons will be attending. Other reasonable accommodations will be provided on a case by case basis.
- At least one public hearing will be held before a draft Consolidated Plan is published for comments.

NOTICE OF HEARINGS/ACCESS TO MEETINGS

The City will provide adequate, timely notification of hearings so that citizens and other interested parties may attend. A minimum of 14 days notice will be provided for all meetings regarding the CDBG Program.

- A mailing list of interested persons and groups will be maintained and will be used for outreach.
- A notice will be placed in a newspaper of general circulation.
- A notice will be placed on the City Hall bulletin board.

- Where feasible, a display ad will be placed in the local newspaper, The Cupertino Courier.

TECHNICAL ASSISTANCE

The City will provide technical assistance to groups that are representative of persons of low and moderate income requesting such assistance in developing proposals.

Requests for technical assistance shall be sent in writing to the Community Development Department, 10300 Torre Avenue, Cupertino, CA 95014. Such requests shall provide the following information: 1) the program/project for which technical assistance is being requested; 2) the timeline for the program/project; 3) the number of persons who would benefit from the program/project; and 4) the type of technical assistance being requested.

The City will identify any additional information needed and inform the parties within 15 days of receiving the request for technical assistance.

Upon receipt of a request for technical assistance which provides all necessary information, the City will respond within 15 days of receiving the request regarding the type of assistance that can be provided and the timeline for providing the assistance.

COMPLAINTS

Complaints from citizens related to the Consolidated Plan, Amendments and Annual Performance Report must be submitted in writing or made during a public hearing. For complaints made at a public hearing, a response shall be provided at that time or if additional research is needed, a written response will follow no later than 15 days after the meeting. For written complaints, a written response shall be provided within 15 days of receipt of the complaint.

SUBSTANTIAL AMENDMENTS

Prior to the submission of any substantial change in the Consolidated Plan or proposed use of funds, citizens will be provided a minimum of 30 days to comment on the proposed changes prior to the changes being implemented. The City shall consider all comments received and a summary of comments or views not accepted and the reasons therefore, shall be attached to the substantial amendment. Substantial amendments shall be defined as (1) changes in the use of CDBG funds from one eligible activity to another; (2) changes in the method of distribution of such funds; (3) changes in policy or goals and objectives; and (4) other similar changes.

ANTI-DISPLACEMENT POLICY

It is the policy of the City to avoid, to the greatest extent feasible, the involuntary displacement of any persons, property or businesses as a result of CDBG activities. Displacement occurs when a "person" or their property is displaced as a direct result of a federally assisted acquisition, demolition or rehabilitation project.

All efforts to minimize involuntary displacement will be carried out by designing activities in such a way that displacement is avoided, except in extraordinary circumstances where no feasible alternatives to displacement are available if the City's community development objectives are to be met. The City will take all reasonable steps to avoid displacement, such as assuring whenever possible, that residential occupants of buildings to be rehabilitated are offered an opportunity to return; planning rehabilitation projects to include "staging" where this would minimize displacement; and following federal notification requirements carefully to assure that households do not leave because they are not informed about the plans for the project or their rights for relocation benefits.

Should involuntary displacement become necessary under such circumstances, relocation benefits will be provided in accordance with (a) the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and 24 CFR 570.606(b); and (b) the requirements of 24 CFR 570.606(c) governing the Residential Anti-displacement and Relocation Assistance Plan (Plan) under Section 104(d) of the HUD Act. The policies and requirements of these laws are described in HUD Handbook 1378 and the City shall strictly abide by these policies and laws.

CITIZEN PARTICIPATION REQUIREMENTS IN STATE OF EMERGENCY

The City shall comply with all HUD memorandums and notices that transmit citizen participation requirements in the event of a local, state, or national emergency or disaster. In order to secure and access new HUD funding and/or re-allocate existing HUD funding to allow the City to respond to the state of emergency in the most expeditious manner, such HUD memorandums and notices automatically supersedes any conflicting provisions of the Citizen Participation Plan, and therefore no formal amendment is required when such emergency memorandums and notices are in effect.