

**ATTACHMENT C**  
**2020-25 Citizen Participation Plan**

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**THE CITIZEN PARTICIPATION PLAN ELEMENTS**

**Public Hearings**

The County must conduct at least two (2) public hearings per year to obtain the views and comments of residents, service providers, government agencies, and other stakeholders regarding the HUD-funded programs implemented within the County's HUD program area. The hearings generally address housing, social, and community development needs, proposed activities, and reporting of program performance. At a minimum, the hearings will be conducted at the two (2) different stages of the program year:

- The first Public Hearing of the Program Year will be held between October/November to report on the County's performance over the prior Program Year and to gather public input for consideration in drafting the Consolidated Plan and/or Annual Action Plan for the upcoming Program Year.
- The second Public Hearing of the Program Year typically occurs in March or April after conclusion of the Public Comment Period on the draft Consolidated Plan and/or Annual Action Plan for the coming Program Year, providing the public a final opportunity to comment on the draft plan(s) before they are adopted by the Board of Supervisors and submitted to HUD.

Citizens must be given adequate notice of all hearings through advertisements in one of the County's adjudicated newspapers and/or other publications of general circulation, serving the community of affected citizens. Public hearings will be advertised at least 15 calendar days in advance of the hearing and/or at the beginning of the official public comment period, whichever occurs first. Public notice shall indicate the date, time, place, and purpose(s) of the hearing as well as disclose information that will contribute significantly to the public's understanding of the issues to be discussed at the hearings. The notices will also be posted on the Community Development and Housing website (<https://cdh.sbcounty.gov>.) Additional means of advertising will be utilized, as appropriate, including, but not limited to: mailing flyers, distributing or posting notices at libraries, parks, and other public areas; placing radio public service announcements; developing press releases; social media; and sending notices to community organizations. In areas where the County has determined that there is a substantial non-English-speaking population within its jurisdiction, the hearing or meeting notice will be published in English and in the appropriate other language(s) specified in the County's Language Access Plan.

The County will also follow the above 15-day public notification process for other actions for HUD programs that do not require public hearings and that are proposed for consideration by the Board of Supervisors.

The hearings will be held at times and locations convenient to potential and actual beneficiaries, with accommodation for persons with disabilities, when the need is anticipated, or it is requested, and language translation services shall be made available.

Table A, at the end of this document, summarizes the public notice requirements for the various reports and documents.

The cooperating cities that participate in the County's program are required to conduct their own Citizen Participation activities for their residents, especially low- and moderate-income residents. At a minimum, these cities will publicly notice and hold at least one Community Meeting to discuss proposed uses of the City's Community Planning and Development grant fund allocation. Cities are required to submit copies of public notices, agendas, and minutes of such meetings to the County as part of the Annual Action Plan process.

### **Substantial Amendments**

From time to time, it may be necessary for the County to process a "substantial amendment" to the Five-Year Consolidated Plan or an Annual Action Plan to allow for new CDBG, HOME, or ESG-funded activities; modification of existing activities or other program administrative actions.

Any proposed amendment that is considered a "substantial amendment" is subject to the full Citizen Participation process, requires formal action by the Board of Supervisors, and approval by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on the proposed substantial amendments. The County will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR Part 91.105 (c)(3). A summary of these comments and views, including comments or views not accepted (and the reason why), shall be attached to the substantial amendment.

San Bernardino County is required by HUD [24 CFR Part 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a *Substantial Amendment*. The following criteria will be used by the County – if any one criterion applies, a substantial amendment will be required:

1. A new activity not previously listed and described in the Consolidated Plan/Annual Action Plan;
2. When a proposal is made to amend the description of an existing activity in such a way that the newly described purpose, scope, location, or beneficiaries differ significantly from the original activity's purpose, scope, location, or beneficiaries;
3. An increase in the amount of HUD federal funding allocated to an existing activity when the following apply:
  - a. an increase in funding for a CDBG public service-type activity in an amount greater than \$75,000 over the current funded amount; or,

- b. an increase in funding for an Emergency Solutions Grant activity in an amount greater than \$100,000 over the current funded amount; or,
- c. an increase in the funding for other activities (public facility improvements, code enforcement, acquisition, etc.) in an amount greater than \$500,000 over the current funded amount; or,
- d. an increase in the funding for HOME eligible activity in an amount greater than \$1,000,000 over the current funded amount.

Table B, at the end of this document, summarizes the Substantial Amendment criteria.

4. In an effort to efficiently utilize CDBG and HOME funds, the County will consider the reprogramming of unspent CDBG and HOME balances from completed and canceled CDBG- and HOME-funded activities to other eligible activities. Activities under the stated thresholds may be canceled for cause and funds reprogrammed without resulting in a substantial change. Examples of cause are:
  - a. Cancellation requested by the subrecipient.
  - b. Determination of CDH that insufficient funding prevents accomplishment of the activity.
  - c. Determination by CDH that the project cannot be carried out in a timely or eligible manner.

In the event that any of the above “administrative” reprogramming actions are over the threshold limits, and come under the “substantial amendment” criteria, the proposed actions are subject to the Citizen Participation process and will require formal action by the Board of Supervisors, and notification to HUD.

Substantial amendments will generally be considered only twice in each program year, typically in the Spring and Fall. However, as necessary to meet County objectives and needs, HOME funding proposals may be considered throughout the year and may cause the substantial amendment criteria to be triggered at other points in the program year.

### **Performance Reports**

Each fiscal year the County is required to prepare and submit a performance report to HUD for the previous program year. The information compiled in this document is necessary to assess the progress on funding received by the County, Cooperating Cities, subrecipients, and other agencies or organizations. Data collected in the compilation of the performance report will be used to supply information to HUD and the public on the accomplishments and services provided. The information will include the number of people served, ethnicity, income category, objective and outcome, and type of service received, as well as the current status on housing, public facilities and improvements, and other projects. The information is also used to determine future funding considerations. The Consolidated Annual Performance Evaluation Report (CAPER) will be made available for public review and comment for no less than a fifteen-day period prior to submission to HUD. A copy of the

CAPER will be available at CDH for review and can be located on the following web site: <https://cdh.sbcounty.gov/community-development-and-housing-department/hud-plans-reports/> The CAPER shall be submitted to HUD within ninety (90) days after the end of the program year. Final reporting documents will also be made available to any interested parties upon request.

The County will conduct the first required public hearing before the County Board of Supervisors to report on the County's performance over the prior Program Year and to gather public input for consideration in drafting the Consolidated Plan and/or Annual Action Plan for the upcoming Program Year. The hearing will be advertised in one of the County's adjudicated newspapers and/or other targeted publications of general circulation in English and Spanish at least 30 days in advance of the hearing so that citizens will be provided reasonable notice to review and present comments on performance.

**TABLE A**

<b>CDBG PUBLIC NOTICE SUMMARY</b>				
<b>Type of Document</b>	<b>Public Hearing</b>	<b>Hearing Notice</b>	<b>Public Comment Period</b>	<b>Notices in Public Areas</b>
<b>Citizen Participation Plan</b>	2 (can be concurrent with a public hearing associated with another plan or document)	Run a display notice in newspapers at least 15 calendar days prior to the hearing or at the beginning of the public comment period whichever is first.	30-day public comment period ending upon Board approval of the item.	Post notice identifying purpose of hearing, comment period, & location of draft for public review and comment.
<b>Consolidated Plan and/or Annual Action Plan</b>	2 (one during development of the plan and one at the conclusion of the public comment period)	Run a display notice in newspapers at least 15 calendar days prior to <u>each</u> hearing or at the beginning of the public comment period whichever is first.	30-day public comment period ending upon Board approval of the item.	Post notice listing all meetings/hearings for the planning/adoption phase with enough detail for the public to recognize the purposes of the meetings, draft document locations and dates for comment periods.
<b>Substantial Amendments to Citizen Participation Plan, Consolidated Plan and/or Annual Action Plan</b>	N/A	N/A	30-day public comment period ending upon Board approval of the item.	Post notice describing amendment items and location of drafts for public review & comment.
<b>Annual Performance Report/CAPER</b>	N/A	N/A	15-day public comment period prior to HUD submission.	Post notice identifying comment period, & location of drafts for public review and comment.
<p>► Display ads will be run in one of the County’s adjudicated newspapers in key publications in the impacted areas.</p> <p>► Documents and drafts for public comment will be available on the CDH Website, which will also provide updates to the process and links to other information.</p>				

**TABLE B**

<b>SUMMARY OF SUBSTANTIAL AMENDMENT CRITERIA</b>	
1) An activity not previously listed or described in the Consolidated Plan or Annual Action Plan.	
2) Amending an existing activity so that the new purpose, scope, location, or beneficiaries differ significantly from the original activity.	
3) For a funding change or cancellation to an existing <b>CDBG</b> public service activity	An increase of more than <b>\$75,000</b>
4) For a funding change or cancellation of an existing <b>CDBG</b> activity such as code enforcement, public facilities improvements	An increase of more than <b>\$500,000</b>
5) For a funding change or cancellation of an existing <b>ESG</b> activity	An increase of more than <b>\$100,000</b>
6) For a funding change or cancellation of an existing <b>HOME</b> eligible activity	An increase of more than <b>\$1,000,000</b>