

City of Clarksville

Housing and Community Development

Citizen Participation Plan



Joe Pitts, Mayor

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EQUAL HOUSING
OPPORTUNITY

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Introduction

This Citizen Participation Plan, as amended, has been prepared and implemented pursuant to federal regulations (U.S. Department of Housing and Urban Development [HUD] Regulations 24 CFR Part 91.105) to encourage and

support public participation in the development of the Consolidated Plan (and subsequent annual updates to the Consolidated Plan) and the Analysis of Impediments to Fair Housing (AI).

The recommended actions in this Citizen Participation Plan are related to the planning and expenditure of funds provided to the City by the U.S. Department of Housing and Urban Development Office of Community Planning and Development for the following programs: CDBG, HOME, ESG, Section 108 Loan Program, and other such HUD funds as may be added with the approval of the Mayor and the Clarksville City Council.

Encouragement of Citizen Participation

It is the intent of Housing and Community Development (HCD) to encourage citizens to participate in the development of the Consolidated Plan, Analysis of Impediments to Fair Housing, and substantial amendment(s) to the Consolidated Plan.

The goal of the Citizen Participation Plan (CPP) is to encourage participation by low-and moderate-income persons, particularly those persons living in areas designated by the City of Clarksville as a revitalization area, or other areas where CDBG funds are proposed to be used, and by residents of predominantly low-and moderate-income neighborhoods within the City.

This CPP assures that citizens, non-profit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports covering the City's federally funded housing and community development programs.

HCD encourages the participation of local and regional institutions and other organizations (including businesses, developers, community-based and faith-based organizations) in the process of developing and implementing the Consolidated Plan, Analysis of Impediments to Fair Housing, and any revisions related thereto. HCD also encourages the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

HCD will consult with the Clarksville Housing Authority, the City's Housing and Community Development Council Committee, regional public housing agencies, residents of public and assisted housing developments (including Resident Advisory Boards, resident councils, and resident management corporations) as a part of the process of developing and implementing the Consolidated Plan and any amendments related thereto. The City's Housing and Community Development Council Committee will provide recommendations to the Mayor and full Council on applications submitted for the Consolidated Plan.

Technical Assistance

HCD will provide technical assistance with program applications for all Housing and Community Development programs including CDBG, HOME, and ESG.

Access to Records

HCD will provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's AI and Consolidated Plan for the preceding 5 years.

The public will be provided reasonable access to housing assistance records, subject to state and local laws regarding privacy and obligations of confidentiality. Confidential documents will be set apart from public information; requestors of this information will be so informed.

Availability to the Public

Copies of standard documents including the Consolidated Plan as adopted, Consolidated Plan Substantial Amendments, AI, and the Annual Performance Report will be available to the public for review at the following locations:

- Housing and Community Development – 1 Public Square, Suite 201
- Clarksville-Montgomery Public Library – 350 Pageant Lane
- City of Clarksville Housing and Community Development Web Page

Upon request, standard documents will be made available in a form to accommodate persons with disabilities, or persons that do not speak English as their primary language, or deaf/blind persons.

Additional single copies of all standard public documents may be obtained from Housing and Community Development subject to fees established by the City of Clarksville.

Public Meetings

Public meetings will be held at key stages of the application process (annual or supplemental) to obtain the public's view and to provide the public, to the greatest extent possible, with responses to their questions and comments. HCD

holds public meetings to obtain input on housing and community development needs, development of proposed (new) activities, proposed strategies and actions for affirmatively furthering fair housing that are consistent with the Analysis of Impediments (AI) and other program compliance requirements as directed by HUD.

To obtain the views of residents of the community on housing and community development needs, including priority non-housing community development needs and affirmatively furthering fair housing, HCD will conduct a minimum of two (2) public meetings prior to submission of the Five-year Consolidated Plan.

- Prior to submission of the Annual Action Plan and for amendments related thereto, HCD will conduct a minimum of two (2) public hearings in accordance with the minimum requirements listed below.
- Public meetings will be held after a minimum of seven days (7) notice to the public. "Notice" means a legal notice that is published in a newspaper at least one week (7 days) prior to the date of the first public meeting. The minimum comment period is thirty days, commencing from the date of the first legal notice publication.
- Public meetings will be held at times and locations that are convenient to potential or actual beneficiaries and with accommodations for the disabled. There will be a virtual streaming option for public hearings. At all public hearings, upon advance request, interpreters will be available for those who do not speak or understand English, or those that are hearing impaired or sight impaired.
- Housing and Community Development will provide residents of the community with reasonable and timely access to public meetings, in accordance with Section 504 of the Rehabilitation Act of 1973, and the regulations at 24 CFR Part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable.

The example below represents a typical grant program year.

- January/February– Notification to Public Service Agencies and citizens for submission of funding requests. Notice of funds available (NOFA) is advertised in public notices.
- February/March – Application Process Public Meetings.
- March/April – First Public Meeting on Consolidated Plan or Annual Action Plan
- April – Draft of Consolidated Plan or Annual Action Plan is made available to public and the 30-day review period begins
- April – Public Hearing on Consolidated Plan and/or Action Plan
- May – City Council review; submission of Annual Action Plan or Consolidated Plan to HUD
- August/September – Draft of Consolidated Annual Performance Evaluation Report (CAPER) is made available to public, 15-day minimum review period
- September - CAPER is submitted to HUD.
- December – Pre- Annual Application Process Trainings

Emergency

In the event of a local, state or federally declared disaster or emergency where in-person participation may not be feasible or large gatherings may be considered a public health risk, HCD may opt to conduct public hearings and meetings virtually via conference call or live web-streaming. During these virtual meetings, the public will have the ability to ask questions and provide comments in real time. The public comment and display period shall be no less than five days. Accommodations will be made for people with disabilities and/or for those who do not speak or understand English as their primary language upon request. Documents for public review will be shared via the City's website. Copies of the document may be mailed or emailed upon request.

Development of the Consolidated Plan and Analysis of Impediments to Fair Housing

Before the Consolidated Plan (and/or annual updates) is approved by the Clarksville City Council and submitted to HUD (i.e., mid-May), Housing and Community Development will make a draft of the Consolidated Plan available to citizens, public agencies, and other interested parties for review and comments.

Interested parties are encouraged to submit comments electronically or by U.S Mail to Housing and Community Development. Before the City adopts the Consolidated Plan, HCD will make available to residents, public agencies, and other interested parties' information that includes the amount of assistance the City expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated dollar amount that will benefit persons of low- and moderate-income.

If displacement will occur due to any planned actions, HCD will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as described in 49 CFR Part 24.

Housing and Community Development will publish its draft and final Consolidated Plan so that all affected residents will have sufficient opportunity to review and comment on the plans. A summary describing the contents and purpose of the Consolidated Plan and the AI will be published in one or more newspapers. The draft Consolidated Plan and AI will also be posted on the City's website.

A period of not less than 30 calendar days will be provided to receive comments from residents of the community regarding the draft Consolidated Plan and AI. All comments will be included in the final Consolidated Plan.

Amendments to the Consolidated Plan / Annual Action Plan

Occasionally, it may be necessary for Housing and Community Development to process a substantial amendment to the Five-Year Consolidated Plan or the One Year Action Plans to allow for new CDBG funded activities, modification of existing activities, or other HUD Community Planning and Development (CPD) program administrative actions.

Any proposed amendment that is considered a substantial amendment is subject to the Citizen Participation process. This process involves Housing and Community Development Council Committee review, Mayor approval, at least one public meeting, formal action by the Clarksville City Council, and approval by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on a substantial amendment.

Substantial amendments require at least one public meeting. A substantial amendment public meeting may be held after a minimum of seven days (7)

notice to the public. "Notice" is a legal notice that is published in a newspaper at least seven (7) days prior to the date of the first public meeting. Minimum comment period is thirty days, commencing from the date of the first publication. If HCD elects to hold more than one public meeting, a legal notice should be published two times with seven days apart between notices.

Public meetings will be held at times and locations that are convenient to potential or actual beneficiaries and with accommodations for the disabled. At all public hearings, upon advance request, translators will be available for those who do not speak or understand English, or those that are hearing impaired or sight impaired.

Housing and Community Development will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR 91.105 (c) (3). A summary of these comments and views, including comments or views not accepted (and the reason why) shall be included with the substantial amendment.

Amendments to the Consolidated Plan are divided into four categories: Substantial Amendments, Minor Amendments, One-Percent Amendments, and Emergency Amendments.

Housing and Community Development is required by HUD [24 CFR 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:

Substantial Amendments

1. Addition of a new project not previously described in the Consolidated Plan or Annual Action Plan.
2. Deletion of any project previously described in the Consolidated or Action Plan.
3. Change in the purpose, scope, location or beneficiaries of an activity or project previously described in the Consolidated Plan or Action Plan.
4. Change in the use of CDBG funds from one eligible activity to another.
5. Change in total dollar amount allocated or budgeted for an activity by more than \$50,000.
6. Substantial Amendments require at least one public meeting and a minimum thirty-days (30) comment period.
7. All Substantial Amendments require approval from Housing and Community Development Council Committee, City of Clarksville Mayor, and the Clarksville City Council.

Minor Amendments

Minor amendments represent any changes to Consolidated Plan or Action Plan activities that do not qualify as substantial amendments and are more than one percent change in funding up to \$50,000. Minor amendments require the signature of the City of Clarksville Housing and Community Development Department Director or designated representative, but do not require a public notice or approval from Community Development Council Committee, City of Clarksville Mayor, or City Council.

One-Percent Amendments

One-percent amendments represent any change in the funded amount of an activity that is one percent or less. These amendments require the signature of the City of Clarksville Housing and Community Development Department director or designated representative, but do not require a public notice or approval from Community Development Council Committee, City of Clarksville Mayor, or City Council.

Emergency Amendments

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. These expedited substantial amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet needs resulting from a declared disaster or emergency. Therefore, the City of Clarksville may utilize CDBG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period, which is otherwise required for substantial amendments. These amendments require approval from Housing and Community Development Council Committee, City of Clarksville Mayor, and the Clarksville City Council.

Consolidated Annual Performance Evaluation Report (CAPER)

Housing and Community Development is required to submit the CAPER for its CPD programs to HUD no later than 90 days from the end of a program year (i.e. late – September). The CAPER describes how funds were spent and the extent to which these funds were used for activities that benefitted low and moderate-income persons.

Housing and Community Development will publish a legal notice that its CAPER is available for review, so the public will have sufficient opportunity to review and comment on the report. The notice will be published in one or more local newspapers. There is a 15-day public comment period prior to the submission of the CAPER to HUD. Housing and Community Development will consider any citizen comments or views received in writing, or verbally at public hearings. A

summary of comments and views will be attached to the final CAPER to be submitted to HUD.

Anti-Displacement and Relocation

CITY OF CLARKSVILLE HOUSING AND COMMUNITY DEVELOPMENT POLICIES ON DISPLACEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and/or HOME FUNDED ACTIVITIES

Residential Anti-Displacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended.

Housing and Community Development, in accordance with Federal Regulations for Displacement, 24 CFR 570.606(b), hereby issues this statement of policy regarding the displacement of persons by CDBG or HOME Program funded activities.

This Plan certifies that any entity receiving CDBG or HOME Program funds will replace all occupied and vacant units that will be demolished or converted to a use other than as low/moderate income housing.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. This includes any property obtained through a public undertaking. Before obligating or expending funds that will directly result in such demolition or conversion, the entity will make public and submit to the HUD Field Office the following information in writing.

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for low/moderate income dwelling units as a direct result of the assisted activity;
- A time schedule for the commencement and completion of the demolition or conversion;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source of funding and a time schedule for the provision of replacement dwelling units, and

- The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy (i.e.: Deed of Trust, Deed Restriction, etc.).

Housing and Community Development or the subrecipient will provide relocation assistance, as described in 570.606(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use. Benefits will be provided to relocatees and displacees according to the calculation of benefits derived pursuant to requirements of regulations promulgated under the Uniform Property Acquisition and Relocation Act of 1970, as amended.

Assistance to Aliens

An alien who is not lawfully present in the United States is prohibited from receiving assistance under the Uniform Relocation Act, per 49 CFR 24.208, and assisted housing programs. Circumstances may dictate that determination that an alien is ineligible would result in exceptional and extremely unusual hardship to a spouse, parent, child who is a United States citizen. A final determination on the eligibility of the request will be made by HUD before any assistance is provided.

Permanent Displacement

Displacement is defined as follows: Permanent movement of person(s) or other entities from a dwelling unit or business location resulting from CDBG or HOME-funded code inspections, rehabilitation, demolition or acquisition. Where appropriate, Housing and Community Development may use CDBG funds to pay for relocation-related costs in projects using Low Income Housing Tax Credits.

To minimize displacement and mitigate adverse effects, the policy shall consist of the following steps, in the event displacement is caused by current or future CDBG or HOME Program-funded projects:

- Avoid or minimize permanent displacement whenever possible and only take such action when no other viable alternative exists.
- The impact on existing persons and properties will be considered in the development of CDBG and HOME Program funded projects.
- Citizens shall be informed of CDBG or HOME Program project area(s) through information made available as part of the annual proposed and final statements on use of CDBG and HOME Program funds.
- Current regulations, HUD notices and policies will be followed when preparing informational statements and notices.

- Written notification of intent will be given to eligible property owners who may be displaced and/or relocated due to an approved project activity.
- Assist those displaced in locating affordable, safe, decent and comparable replacement housing.
- Ensure that “just compensation” for CDBG or HOME Program acquired property (as determined by appraised fair market value) is paid with relocation benefits, if applicable.
- Provide for reasonable benefits to any person permanently displaced because of the use of CDBG funds to acquire or substantially rehabilitate property.
- Reasonable benefits will follow established policies set forth in applicable federal, state and local regulations.
- Provision of information regarding equal opportunity and fair housing laws to ensure that the relocation process does not result in different or separate treatment because of race, color, religion, national origin, sex, handicap, or source of income.
- Displaced families will be given a preference through the Housing Choice Voucher Program, Conventional Public Housing or any other federally funded program for which they might qualify. This priority is contingent upon availability of certificates, vouchers or placement coupons by the agency certified to handle assistance in the jurisdiction.

Temporary Displacement

CDBG or HOME Program funded activities may involve temporary displacement. While strict adherence to provisions of the Uniform Relocation Act is not specified, it is the policy of Housing and Community Development that all subrecipients shall take steps to mitigate the impact of CDBG or HOME Program funded code inspections, rehabilitation, demolition or acquisition that results only in temporary movement of person(s) from a dwelling unit. Such temporary displacement primarily involves demolition and reconstruction of a single-family owner-occupied home. Where appropriate, Housing and Community Development may use CDBG funds to pay for relocation-related costs in projects using Low Income Housing Tax Credits. Accordingly, the citizens involved in a temporary movement shall be fully informed of the below matters and appropriate steps shall be taken to guarantee that fair and equitable provisions are made to:

- Ensure that owners receive compensation for the value of their existing house prior to demolition.

- Receive temporary living accommodations while their CDBG or HOME Program funded unit is being demolished and reconstructed.
- Move and temporarily store household goods and effects during the demolition and reconstruction evolution.
- Reimburse all reasonable out-of-pocket expenses incurred relating to the temporary relocation, including moving costs and any increased rent and utility costs.

Complaints

Written complaints from City residents related to the Consolidated Plan, amendments, AFH, revisions, and the performance report will receive careful consideration and will be answered in a written response within 15 business days (where practicable) to every written resident complaint.

Written complaints should be sent to the Director's Office at the following address: City of Clarksville Housing and Community Development, 1 Public Square, Suite 201.

Civil Rights, Complaints and Grievance Process

Title VIII of the Civil Rights Act of 1968 is known as the Fair Housing Act. The Act, as amended in 1974 and 1988, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status, and disability.

These seven classifications are collectively termed federally protected classes. The federal familial status provision protects children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18.

HCD program staff will provide a written response to all written citizen complaints received related to the Consolidated Plan, Consolidated Plan amendments, and performance reports within 15 working days from receipt of the complaint. Citizens not satisfied with the staff response may request a review of the complaint by the City of Clarksville Housing and Community Development Director. Reviews may be requested by telephone, email or letter to the Director and should include a summary of the complaint as well as the summary of the response from the HCD program staff.

**City of Clarksville
Title VI, Civil Rights Act of 1964
Requirements**

It is the policy of the City of Clarksville that no person shall be denied the benefits of, or be subjected to discrimination in, any sponsored program, service, or activity provided by City of Clarksville staff, contractors, or consultants on the grounds of race, color, national origin, limited English proficiency, age, disability, religion, marital status, familial status, sex, gender, gender identity, sexual orientation, or source of income.

Filing a Title VI Complaint:

Complaints should be filed with the Title VI Officer, located in the City of Clarksville Finance Office.

Complaints must be in writing and signed by the complainant. If the complainant needs assistance in reducing the complaint to writing or signing it, he or she may request assistance from the Title VI Officer or may have another person write and acknowledge the complaint on his or her behalf.

The complaint should include names and contact information of any witnesses, including City of Clarksville employees or contractors. Allegations may be faxed or e-mailed and will be acknowledged.

Allegations sent by fax or e-mail will not be processed until the identity of the complainant and the intent to proceed with the complaint have been established. The complaint form must be signed or acknowledged and returned to the Title VI Officer for processing.

The original copy may be sent, faxed, or emailed to:

Title VI Officer
City of Clarksville Finance Office
1 Public Square
Clarksville, TN 37040

