

County of Monterey

Draft Citizen Participation Plan
Amended: May 8, 2020

1. Encouragement of Citizen Participation

Since the County of Monterey (County) began receiving the Community Development Block Grant (CDBG) Program in 2013 as an entitlement Consortium Jurisdiction, the County has incorporated full opportunities for citizens to participate in planning, development, and review of proposals for funding from the entitlement program. As required by federal regulations from the United States Department of Housing and Urban Development (HUD), citizens must be provided with a reasonable opportunity to participate in an advisory role in planning, implementing and assessing the program and proposals.

Participating Units of Local Government (CDBG Consortium):

- City of Del Rey Oaks
- City of Gonzales
- City of Greenfield
- City of Sand City

Collectively, the County of Monterey (covering the unincorporated areas) and its participating units of local government are known as the “Urban County” for the purpose of the CDBG program.

This ¹Citizen Participation Plan (CPP) sets forth policies and procedures to provide for and encourage participation by the residents of Monterey Urban County in the development of the County’s Consolidated Plan (Con Plan) for HUD and subsequent Annual Action Plans (AAP), as well as the preparation of the Assessment of Fair Housing (AFH). The CPP also applies to any substantial amendments to the Con Plan and to the preparation of the Consolidated Annual Performance and Evaluation Report (CAPER), which evaluates progress toward the Con Plan objectives. The County submits a Con Plan to HUD every five (5) years and an AAP to HUD annually. These documents are due to HUD 45 days prior to the beginning of a new program year (typically falls around May 10). The CAPER is submitted to HUD and due within 90 days after the close of the program year, which ends on June 30. The first AFH is due 270 days prior to the beginning of a new Five-Year Con Plan (typically falls on October 4). Subsequent AFH’s are due 195 days prior to the beginning of the next Five-Year Con Plan (typically falls on December 18).

Interested groups and individuals are encouraged to provide input into all aspects of the County’s Con Plan and AFH activities – from assessing needs and setting priorities through performance evaluation. This CPP offers numerous opportunities for citizens to contribute information, ideas, and opinions about ways to provide decent housing, establishing and maintaining a suitable living environment, and expanding economic opportunities, particularly for low-and moderate-income persons.

In developing its Con Plan, AAP, substantial amendments, CAPER, and AFH applications to HUD, the County will take appropriate actions to encourage the participation of all of its citizens including:

¹ CPP regulations may be viewed online at: <http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=50baf95c9e5da4e8bf465e2c9011035a&rgn=div8&view=text&node=24:1.1.1.1.40.2.87.2&idno=24>

- low-and moderate-income persons, particularly those living in areas where federal funds are proposed to be used;
- residents of predominantly low-and moderate-income neighborhoods;
- residents of racially and ethnically concentrated areas of poverty (R/ECAP);
- minorities;
- people with Limited English Proficiency (LEP);
- people with disabilities;
- residents of public and other assisted housing developments; and
- local and regional institutions, the regional Continuum of Care (COC) coalition (known as “Coalition of Homeless Services Providers”) and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations).

The County is committed to keeping all interested groups and individuals informed of each phase of the Con Plan process, and of activities being proposed or undertaken under HUD entitlement programs. Opportunities to comment on or participate in planning community development and affordable housing activities and projects will be publicized and disseminated as widely as possible in Monterey Urban County.

2. Decision-Making Bodies

Lead Agency: The County of Monterey Housing and Economic Development Office serves as the lead agency for the Urban County.

Participating Cities: Each consortium jurisdiction is allocated a portion of the CDBG funds. Each participating City will determine the projects to be funded with its allocation in each program year. In addition, each City can make recommendations in regard to public service applications including fair housing.

Urban County Standing Committee: Annually the Urban County Standing Committee reviews funding applications and makes recommendations to the Board of Supervisors concerning the following:

- Public service applications
- All other funding applications

The Urban County Standing Committee consists of two members from the Board of Supervisors. Staff members representing the participating units of local government will serve in a consulting role to the Urban County Standing Committee.

Board of Supervisors: The Board of Supervisors will be the final decision-making body in the approval of all HUD documents including the Consolidated Plan, Action Plan, CAPER, AFH and any substantial Amendments to those plans.

3. Public Hearings

The County will conduct at least two public hearings each year to obtain citizens’ views and to respond to proposals and questions. The public hearings are usually held by the Board of Supervisors and at times may include the Urban County Standing Committee. The public hearings will address:

- housing and community development needs;

- the proposed use of program funds, and
- program performance during the past year.

Pursuant to HUD regulations, the Urban County will conduct a minimum of two public hearings annually at different stages in the CDBG program year (July 1 through June 30). The Urban County will conduct public hearings at locations and at times that are convenient to the public, especially for those persons affected by program resources, and the locations will be equipped to accommodate persons with physical disabilities. As such, all public hearings and meetings will be held in the Board Chambers located on the first floor of the Monterey County Government Center, 168 W. Alisal St., Salinas, CA 93901.

ALTERNATE AGENDA FORMATS: If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 USC Sec. 12132), and the federal rules and regulations adopted in implementation thereof. Individuals with a disability requiring a modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may make these requests to the Clerk of the Board Office.

INTERPRETATION SERVICE POLICY: The Monterey County Board of Supervisors invites and encourages the participation of Monterey County residents at its meetings. If the public requires the assistance of an interpreter, they may contact the Clerk of the Board located in the Monterey County Government Center, 168 W. Alisal St., Salinas - or by phone at (831) 755-5066. The Clerk will make every effort to accommodate requests for interpreter assistance. Requests should be made as soon as possible, and at a minimum 24 hours in advance of any meeting of the Board of Supervisors.

Other requests for reasonable accommodation (such as sign language) must be made three (3) days prior to the hearing date, and the Urban County will provide appropriate assistance to the extent feasible. The information provided to the public on or before the public hearing will include:

- the amount of assistance the local government expects to receive (including grant funds and program income);
- the range of activities that may be undertaken;
- the estimated amount of funding that will benefit persons of low-and moderate-incomes; and
- the County's plan to minimize displacement of persons and to assist any person displaced, specifying the types and levels of assistance the County will make available (or require others to make available) to persons displaced, even if no displacement is expected to occur.

This information will be presented at the public hearing and is contained in the text of the Con Plan and AAP under review.

4. Public Hearing Notices and Outreach

Information about the time, location, and subject of each hearing will be provided to citizens at least 15-days public review period by:

- publication of a notice in four local newspapers (in English in *Monterey Weekly*, *South County Newspaper Group* and in Spanish *El Sol*);
- email distribution lists; Monterey County website at: <http://www.co.monterey.ca.us/>

The County also subscribes to the California Relay Service to accommodate TDD (telecommunication devices for the deaf) users; published public notices provide a TDD number. Requests should be made as soon as possible and at least 24-hours in advance to the Housing office.

Targeted outreach developed specifically for informing low and moderate-income persons, minorities, residents of public and other affordable housing, and persons with disabilities will take place via distribution of notices to providers of services to these populations, including the Housing Authority of the County of Monterey and non-profit affordable housing developers in the Urban County. Outreach to Continuum of Care/CHSP partners, local businesses, Urban County-based developers, nonprofit organizations, philanthropic organizations, and other community-based and faith-based organizations, will take place via notices sent to these organizations via email.

Published notices will include information that:

“Disability-related modification or accommodation, including auxiliary aids or services, may be requested by any person with a disability who requires a modification or accommodation in order to participate in the meeting. Requests should be referred to the County Clerk’s office at 168 W. Alisal St, Salinas, (831) 647-7600, as soon as possible but no later than 5 p.m. of the last business day prior to the meeting. Hearing impaired or TTY/TDD text telephone users may contact the County by dialing 711 for the California Relay Service (CRS) or by telephoning any other service providers’ CRS telephone number.”

Spanish translation is provided at all Board of Supervisors public meetings and hearings concerning HUD programs.

5. Publication of the Proposed Consolidated Plan (Con Plan) and Annual Action Plan (AAP)

The County will publish proposed Con Plan and AAP in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and submit comments. The proposed Con Plan (or “public comment draft”) shall include:

- the amount of assistance the County expects to receive (including grant funds and program income);
- the range of activities that may be undertaken, including the estimated amount that will benefit persons of low-and moderate-incomes, and
- summary of the proposed Con Plan and/or AAP will be published in one or more newspapers of general circulation at the beginning of the required public comment period. The summary will describe the contents and purpose of the plan (including a summary of specific objectives) and include a list of locations where copies of the entire proposed Con Plan and/or AAP may be obtained or examined.

The following are among the locations where copies of the public comment draft will be made available for inspection:

- Monterey County Housing and Economic Development Office, Government Center, 168 W. Alisal Street, Third Floor, Salinas, CA 93901
- Monterey County website at: <http://www.co.monterey.ca.us/>
- Websites of participating units of local government

Copies of the proposed Con Plan and/or AAP can be obtained by contacting the Housing and Economic Development office at (831) 755-5390 or NachorAM@co.monterey.ca.us

6. Limited English Proficiency (LEP) Residents

Residents who, as a result of national origin, do not speak English as their primary language and who have limited ability to speak, read, write or understand English may be entitled to language assistance related to the planning, programming and implementation of federal CDBG funding by the County. In providing such language assistance, the County will be taking affirmative steps in complying with Title VI of the Civil Rights Act of 1964, which is the federal law which protects individuals from discrimination.

The two primary goals of this policy are to provide specific services to eligible individuals in need of language assistance and to increase participation of residents from all races and national origins comparable to their representation within this community. The threshold for eligibility and access to language services shall be 5% of the population as determined in the most current federal Census. For the County of Monterey, since the 2010 Census identified or 60.5% of the resident population as either Hispanic or Latino, special considerations (e.g. publishing the APP in Spanish or English) will be directed to this group in the implementation of the CPP.

The provision of the language assistance shall be implemented by the Housing and Economic Development Office

7. Public Comments on the Proposed Consolidated Plan (Con Plan) and/or Annual Action Plan (AAP)

The County will receive comments from citizens on its proposed Con Plan and/or AAP for a period not less than thirty (30) days prior to submission of the Plan(s) to HUD. All comments or views of citizens received in writing or orally at public hearings will be considered in preparing the final Plan(s). The comments, or a summary of these comments, therefore, shall be attached to the final Plan(s). Oral comments outside of the public hearing will not be considered, unless they are also provided directly to staff via email, letter, or other legible written form at the address provided in Section 4, above. The final version of the Con Plan and/or AAP as submitted to HUD will be posted on the County's webpage.

8. Contingencies and Amendments

HUD regulations at 24 CFR Part 91.505 guide amendments to the Con Plan and/or AAP. County housing staff and the Board of Supervisors will select alternate non-housing projects which can be implemented if projects approved by the Board of Supervisors are rejected by HUD or if approved activities subsequently are determined to be ineligible, illegal, or for other reasons cannot be implemented.

When a substantial change is proposed for a project, County staff will prepare the amendment. Prior to Board of Supervisors action on a substantial amendment to the Plan, a notice of the proposed change will be published in a newspaper of general circulation 30 days prior to implementation.

When a substantial amendment is proposed, the Board of Supervisors will allow public comment before acting on the substantial amendment to an approved Con Plan. This public comment opportunity will take the place of a formal public hearing. A summary of citizen comments and why the comments were accepted or rejected will be attached to the amendment.

A substantial amendment is defined as:

- For larger projects, over \$200,000, an increase of 25 percent or more in project funding. Changes that are less than \$50,000 are not considered substantial.
- An increase of 25 percent or more in project beneficiaries (i.e. income groups, limited clientele groups, residents of a targeted area) or a change in purpose, scope or location which would change the project beneficiaries by more than 25 percent or

- A determination by the Housing Program Manager, that the change is substantial even though it falls below the standards in Section 1 and 2 above.

The County, staff will select alternate housing projects during each funding cycle which can be implemented if an approved project does not achieve milestones set at the time of funding, the project is discontinued or postponed, or for whatever other reason an approved project is unable to perform in a timely manner.

9. Public Notice of and Public Comment on Substantial Amendment.

Once drafted, the County shall make the substantial amendment public and submit it to the Board of Supervisors for its review, comment, and recommendation. Notice and opportunity to comment will be given to citizens through public notices in local newspapers and other appropriate means, such as the targeted distribution lists described above in Section 3. A public comment period of not less than thirty (30) days will be provided prior to implementing any substantial amendments to the Con Plan and/or AAP. Comments received, or a summary of comments, therefore shall be attached to the substantial amendment, which will be available to the public and submitted to HUD.

10. Preparation of the Consolidated Annual Performance and Evaluation Report (CAPER)

Performance reports on programs covered by the Con Plan and/or AAP are to be prepared by the County for annual submission to HUD by September 30. The County shall provide a preliminary draft of the CAPER and publish a notice announcing that the public shall have no less than fifteen (15) days to review and comment on the document.

The following are among the locations where copies of the public comment draft will be made available for inspection:

- Monterey County Housing Economic Development Office, Government Center, 168 W. Alisal Street, Third Floor, Salinas, CA 93901

All public comments received either orally or in writing regarding the CAPER will be considered and the comments, or a summary of these comments, shall be attached to the final document. The County shall encourage members of the public to review the performance detailed in the CAPER during the public comment period.

11. Preparation of the Assessment of Fair Housing (AFH)

Federal programs such as CDBG have regulatory requirements to affirmatively further fair housing based upon HUD's obligation under Section 808 of the Fair Housing Act. The AFH planning process helps communities analyze challenges to fair housing choice and establish goals and priorities to address the fair housing barriers in the community. The AFH helps jurisdictions identify and assess four fair housing issues: patterns of integration and segregation; racially or ethnically concentrated areas of poverty; disparities in access to opportunity; and disproportionate housing needs.

Consultation

The County will encourage participation by low-income residents, the Continuum of Care, local and regional institutions, and other organizations in developing and implementing the AFH. During the development of the AFH, at the minimum, the County will consult the following services/agencies to solicit their input on fair housing issues in the County:

- Fair Housing Organizations;
- Housing Authority of the County of Monterey and its Resident Advisory Board;
- Tenant organizations, including resident management corporations, resident councils, assisted housing resident organizations and advocates;
- Advocacy groups and community-based organizations serving special needs households and classes of persons protected under state and federal fair housing laws;
- Affordable housing developers and housing service providers;
- Banks and other financial institutions, and housing professionals (realtors, property management companies);
- Faith-based organizations;
- Public and private agencies that provide social services, including those focusing on services to low-income populations, children, elderly persons, persons with disabilities, and homeless persons;
- Adjacent governments and neighboring jurisdictions regarding priority non-housing community development needs and local government agencies with metropolitan-wide planning responsibilities regarding problems and solutions that go beyond a single jurisdiction (e.g. transportation, employment);
- Organizations relevant to the opportunity analysis, for example local school district leadership or parent groups or environmental justice groups;
- Philanthropic organizations; and
- States and local universities.

Public Review of Draft AFH

The County will make HUD-provided AFH data and any other supplemental information to be incorporated into its AFH available to residents, public agencies, and other interested parties.

The draft AFH will be made available for public review for 30 days. Written comments will be accepted during the 30-day comment period. A summary of written comments and the County's responses must be attached to the AFH. A 30-day comment review period will be noticed and the draft AFH made available at locations detailed in Section 4 of this Plan.

Public Hearings

The County will conduct at least one public hearing during the development stage of the draft AFH to receive input on fair housing issues. The County may also conduct a public hearing to accept comments on the draft AFH prior to adoption.

12. Access to Records

All public records, as defined by the State Public Disclosure Act, will be available for review at the Housing and Economic Development Office during normal business hours. Requests for records will be handled in accordance with the County of Monterey' policy on review of public records. A reasonable fee may be charged for copying records for citizens.

13. Technical Assistance

The County shall make available, upon request, technical assistance to groups representing persons of low-and moderate-income (and other special needs) that request such assistance in developing proposals for funding assistance under any of the programs covered by the Plans. The County shall also hold at least one workshop for community agencies applying for County funding on or near the time of issuance of a Request for Proposals to explain issues related to various funding sources

available, eligible activities, the application process itself, and to answer any questions applicants may have.

14. Citizen Complaints

The County of Monterey shall accept written complaints and provide a substantive written response to any written citizen complaint within a reasonable period of time, not to exceed fifteen (15) working days, when the complaint concerns the Con Plan, AAP, amendments thereto, AFH and performance reports.

Complaints, comments and questions should be directed to:

Monterey County Housing and Economic Development Manager
Government Center, 168 W. Alisal Street, Third Floor
Salinas, CA 93901

NachorAM@co.monterey.ca.us
(831)755-5390

15. Effective Date and Amendments

This amended CPP will supersede all prior CPP's, and become effective on May 19, 2020, and will remain in effect as long as Con Plan activities are ongoing or until superseded by a new amended CPP. Citizens will be given notice and an opportunity to comment on any substantial amendments to the CPP. This CPP will be made available to the public at the locations detailed in Section 4 of this Plan. Persons with disabilities that need special accommodations to review this Plan may make a request to CED or NCS, and reasonable accommodations will be made to provide the document in a form that is accessible to the person making the request.

16. Substantial Amendment Process in Response to COVID-19 Pandemic

As provided by HUD's Mega Waviers for the CARES Act, the County will utilize a streamlined substantial amendment process to plan and allocate emergency funding to respond to the impacts of the COVID-19 pandemic:

- Reasonable Noticing: The County will publish a notice on the County of Monterey Housing and Economic Development Division of the County Administrative Office website at least five days prior to the availability of substantial amendment documents for public review and the conducting of a public hearing.
- Public Review Comment: A five-day public comment period will be provided.
- Public Hearing: A virtual public hearing will be considered adequate.
- Decision Making Process: Due to the time-sensitive manner and the unique challenges for convening public meetings presented by the COVID-19 pandemic, substantial amendments relating to the use of CARES Act funding may bypass the Urban County Standing Committee and any other committee meetings.

This substantial amendment to the Citizen Participation Plan, added as Section 16, will be applicable to all CDBG grants through the County's FY 19 and FY 20 Action Plan.