

**City of Durham Consolidated Plan FY 2020-2025**  
**CITIZEN PARTICIPATION PLAN, as amended May 19, 2020**

Introduction

The purpose of the Citizen Participation Plan is to identify and set forth guidelines that the City of Durham Community Development Department will follow to ensure that the citizens of Durham City and Durham County are adequately aware of the programs/activities that are financed with entitlement funding from the United States Department of Housing and Urban Development (HUD). The Citizen Participation Plan will address the time frame and manner in which citizens will be informed and encouraged to participate in the planning process for the expenditure of Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for People With AIDS (HOPWA) funds. The Citizen Participation will also address how citizens will participate in the development of the Consolidated Plan, Annual Action Plan, and the Consolidated Annual Performance Report (CAPER).

The Consolidated Plan - The Consolidated Plan is a strategy which describes needs, resources, priorities and proposed activities to be undertaken with respect to HUD programs. As a recipient of federal grant funds from HUD, the City must submit an updated Plan every five years.

The Annual Action Plan – The Annual Action Plan is a yearly update of the Consolidated Plan in which specific projects are identified that will be funded from each of the entitlement programs for a particular fiscal year. The Annual Action Plan is due to HUD 45 days prior to the end the City's fiscal year. The Plan must be submitted to HUD by May 15 of each year.

The Consolidated Annual Performance Report (CAPER) - The CAPER is a yearly summary that identifies the specific projects that were funded the previous year. The CAPER also identifies the amount of funds that were budgeted for each project, that have been expended to date for the particular project, as well as the number and demographic information of individuals served by each project activity.

Citizen Advisory Committee (CAC)

The Citizen Advisory Committee (CAC) will serve as a primary mechanism for facilitating citizen participation throughout the affordable housing and community development planning process. The CAC comprises 15 citizens, 12 of them are appointed by the Council. The CAC will meet throughout the year to review and discuss housing and community development issues, (including CDBG, HOME, HOPWA, and ESG funded proposals to be incorporated into the Annual Action Plan). In addition, the CAC will review and comment on the Consolidated Plan /Annual Action Plan, any Plan amendments, and the CAPER. CAC meetings are typically held the fourth Monday of each month throughout the year. All CAC meetings will be conducted in an open manner, with freedom of access for all interested parties. Regular meetings are typically held the fourth Monday of each month at 6:00 p.m. at the Community Development Department, 516 Rigsbee Avenue, Durham, NC 27701.



### Public Hearings

At least two (2) public hearings will be held each year prior to the submission of the Annual Action Plan. Public hearings shall be held by the Durham City Council. The first public hearing shall be held to receive comments on housing and community development needs, including priority non-housing community development needs. Typically, the second public hearing shall be held to receive comments on the draft Consolidated Plan/ Annual Action Plan.

### Virtual Public Hearings

When circumstances prevent an in-person event for one or both public hearings held in support of a Consolidated Plan or Annual Action Plan, a “virtual” public hearing will substitute for in-person gatherings, as allowed by the U.S. Department of Housing and Urban Development (HUD). The City will use a virtual hearing method or platform that provides for accessibility for persons with disabilities and limited English proficiency to participate.

### Public Notice

The City shall advertise public hearings as applicable at least 10 days before the date of the hearing. The City will publish notice of public hearings, draft Consolidated Plan/Annual Action Plan, amendments, and CAPER in local newspapers, presently the Herald Sun and Que Pasa newspapers, and on the Community Development Department web site located at <http://durhamnc.gov/445/CommunityDevelopment>. In addition, notice will be distributed to interested persons, various community organizations and non-profit groups via electronic mailings.

### Access to Citizen Participation Activities

All public hearings will be held at a convenient time and place to facilitate broad citizen participation, particularly by low- and moderate-income citizens and residents of targeted neighborhoods. All public hearings will be held at locations, accessible to people with disabilities, and provisions will be made to accommodate persons with disabilities. Public notices state that persons who require assistance to attend public hearings should contact (919) 560-4197 or [ADA@DurhamNC.gov](mailto:ADA@DurhamNC.gov) no later than 48 hours before the event. Upon request, translators will be provided for people who do not speak English and sign language interpreters will be provided for hearing impaired people. On-line surveys in English and Spanish may also be used to gather resident input on the development of the Consolidated Plan or filled out on paper surveys available at various Durham locations.

### Public Comment Period

The public will be provided with a 30-day comment period on the draft Consolidated Plan/Annual Action Plan. Copies of the Plans will be made available at the following locations: the Community Department Development, the City and County Clerk’s Offices, the Durham County Public Main Library, the front desk of City Hall, and on line at the Community Development Department website located at <http://durhamnc.gov/445/Community-Development>. . Citizen comments received during the citizen participation process will be summarized in writing and included in an attachment to the final Plan submitted to HUD. The summary will include staff response to the comments that are received.



### Complaint Procedures

The Community Development Department staff shall be responsible for receiving and responding in writing to written citizen complaints and grievances that are related to the Consolidated Plan/Annual Action Plan activities. Staff will make every effort to respond to any written complaint or grievance related to Consolidated/Annual Action Plan activities within 15 working days, where practicable.

### Access to Records

The City and County shall provide for full and timely disclosure of program records and information consistent with applicable state and local laws regarding personal privacy and obligations of confidentiality. Program documents must be retained for a minimum of five years. Upon written request, documents relevant to the program shall be available at the Community Development Department during normal business hours of 8:00 a.m. to 4:30 p.m., Monday through Friday. The City may charge a fee for copies to recover cost of materials and operations.

### Technical Assistance

Upon request, the Department of Community Development staff will meet with neighborhood groups or advocacy interest groups to obtain their views on housing and non-housing needs. Staff will be available during the funding application period to offer assistance in the process only as requested. Staff will advise applicants on technical questions, such as determining the eligibility of a request and federal program requirements.

### Relocation and Displacement

The City will endeavor to take all reasonable steps to minimize the displacement of persons/households as a result of activities conducted through its program. Persons who are displaced receive relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (URA or Uniform Act).

### Solicitation of CDBG, HOME, ESG, and HOPWA Applications

During the program year, the City shall hold workshops to discuss the application process for the use of CDBG, HOME, ESG, and HOPWA funds. The City will provide public notice of the workshops and will encourage applicants to contact the Community Development Department for technical assistance and program requirements. Information concerning how to access applications shall be made available on the Department's website during defined periods. Notices shall inform citizens of the amount of funds available, deadline for proposal submission, the range of CDBG, HOME, ESG, and HOPWA activities that are proposed to be undertaken, and other pertinent program requirements. Applications submitted after the date and time indicated will not be considered for funding.

### Consolidated Annual Performance Report (CAPER)

Each year the City must produce a CAPER describing and evaluating the community development activities undertaken during the previous program year. The CAPER is due to HUD 90 days from the end of the fiscal year. Typically, the CAPER is due to HUD by September 30. The City will provide public notice of the draft CAPER as previously described



under the Public Notice section. The public will be provided with a 15-day comment period on the draft CAPER. The CAPER will be made available for public review at the same locations as described for the Consolidated Plan/Annual Action Plan. Citizen comments received during the citizen participation process will be summarized in writing and included in an attachment to the final CAPER submitted to HUD. The summary will include staff responses to the comments that are received.

Amendments to Consolidated Plan/Annual Action Plan

A public hearing shall be conducted for all substantial amendments to Consolidated Plan/Annual Action Plan. The public will be provided with at least a 10-day notice prior to the date of the hearing and a 30-day comment period to receive citizen comments on the proposed amendment prior to implementation. A substantial amendment is constituted as:

- The addition or deletion an activity not previously described in the Plan
- A change in purpose, scope, location, or beneficiaries of an activity, and
- A change in the allocation or distribution of funds is defined as when the dollar amount of that change is equal to or greater than 25% of the City’s current fiscal year federal allocation.

Substantial amendments will be made available for public comment at the same locations previously described for the Consolidated Plan/ Annual Action Plan. Citizen comments received during the citizen participation process will be summarized in writing and included in an attachment to any amendments submitted to HUD. The summary will include staff responses to the comments that are received.

Public Review Sites

Documents that require a Public Comment period will be available for review at the following locations:

Departmental Website:  
<http://durhamnc.gov/445/Community-Development>.

Community Development Department  
516 Rigsbee Avenue  
Durham, NC 27701

City Hall Clerk’s Office and behind the  
Durham One Call Desk  
101 City Hall Plaza

Durham, NC 27701

Durham County Clerk’s Office  
Administrative Complex, 2nd Floor  
200 E. Main Street  
Durham, NC 27701

Durham County Main Branch Library  
300 N. Roxboro Street  
Durham, NC 27701

## **Coronavirus Aid, Relief, and Economic Security (CARES) Act Amendment**

### Purpose

The City of Durham will receive additional Community Development Block Grant (CDBG), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons With Aids (HOPWA) funding from the US Department of Housing and Urban Development (HUD) through The Coronavirus Aid, Relief and Economic Security Act (CARES Act). The CARES Act funding is commonly referred to as CDBG-CV. The CARES Act provides flexibilities for Entitlement Communities to make it easier to use CDBG and CDBG-CV funding during Program Years 2019 and 2020. The CARES Act authorizes HUD to grant waivers and alternative requirements. This amendment to the Citizen Participation Plan addresses flexibilities in requirements for Citizen Participation and Public Hearings for 2019 and 2020 CDBG/CDBG-CV funding. The City of Durham has submitted waivers to HUD allowing for the following: The published comment period pertaining to amendments to the Citizen Participation Plan, Consolidated Plan, Annual Action Plan(s) and Substantial Amendment(s), as they relate to CARES Act shall be a minimum of 5 days. During this time, the public will have an opportunity to submit comments orally, in writing, or via electronic methods, as directed in the notice. Comment periods for more than one of the above documents may run concurrently. Virtual public hearings are allowed under the following circumstances:

- National/local health authorities recommend social distancing and limiting public gatherings for public health reasons;
- Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

A formal notice of the public hearing will be published in at least one local newspaper with general circulation no less than five days prior to the hearing. The same notice will be published to the Community Development Department's website, stakeholders' groups, interested persons, partner organizations list-serve, and social media.