



City of Naperville

Citizen Participation Plan

Effective: 07/21/2020

INTRODUCTION

The City of Naperville encourages the public to participate in the development of Community Development Block Grant (CDBG) plans and programs and to comment on the City's past performance in its use of CDBG funds. The Citizen Participation Plan contains policies and procedures to achieve these goals and conforms to the Code of Federal Regulations, Title 24, Part 91.105, Citizen Participation Plan; Local Governments.

❖ Purpose

The City of Naperville will provide the opportunity for the public to participate in the following planning responsibilities:

- Developing Community Development Plans, including Consolidated Plans, Annual Action Plans and Assessments of Fair Housing (AFH)
- Adopting Substantial Amendments and Revisions to Community Development Plans, as needed
- Evaluating the City's Performance in Implementing Community Development Plans
- Developing and Amending Citizen Participation Plans
- Developing Plans and Emergency Procedures to Address Urgent Needs

By providing the opportunity to comment on the above activities, the City encourages participation by all citizens, including low and moderate-income citizens, citizens who live in neighborhoods where CDBG funds are proposed to be used, citizens who live in public and assisted housing developments, citizens who belong to a minority population group, citizens who may not speak English, and citizens who have disabilities.

❖ Consultation

The City will also consult with and encourage participation by local and regional institutions, including Continuums of Care; City agencies and departments; adjacent local governments; public housing agencies; nonprofit, community-based and faith-based organizations; businesses and developers; broadband internet service providers and organizations engaged in narrowing the digital divide; agencies whose primary responsibilities include management of flood-prone areas, public land or water resources and emergency management agencies.

Public participation and consultation will take place primarily through public hearings and public meetings, but may also include alternative public involvement techniques including, but not limited to, online and printed surveys; interviews via telephone, email and in-person meetings; focus groups;

websites; social media and brochures and flyers posted in public buildings in areas visible to the public.

POLICIES AND PROCEDURES

❖ Public Hearings and Meetings

Policies:

The City will conduct at least two public hearings per year to obtain citizen's views and to respond to proposals and questions. The hearings will take place at different stages of the Consolidated Planning process: At least one public hearing will be held during the development of the Consolidated Plan and /or Annual Action Plan, but before a final plan is published for comment. The purpose of this hearing is to obtain the views of citizens on housing and community development needs (including priority non-housing community development needs), the development of proposed activities and proposed strategies and actions for affirmatively furthering fair housing. The second scheduled hearing will take place when the Consolidated Annual Performance Evaluation Report (CAPER) is developed for the past program year, but before a final report is approved for submittal to the U.S. Department Housing and Urban Development (HUD). The purpose of this hearing is to allow citizens to review and comment on the City's performance in implementing Consolidated Plans and Annual Action Plans.

Additional public hearings will be held as required by Title 24, Part 91.105, Citizen Participation Plan; Local Governments and as the City determines are needed to enable public participation in the development of the Consolidated Plan and/or Annual Action Plan and Assessment of Fair Housing (AFH), Consolidated Plan/Annual Action Plan Amendments and AFH revisions, performance reports and amendments or revisions to the Citizen Participation Plan. These required public hearings are discussed below in the sections on policies and procedures for specific types of community development plans.

Procedures:

Notice of public hearings shall be published in a local newspaper of general circulation and on the City's website a minimum of two weeks (14 days) before the scheduled hearing. All notices will include the purpose of the proposed hearing; summary of any proposed plans or documents; date, time and location of the hearing; start and closing dates of any applicable public comment periods; procedures for submitting oral or written comments and questions; and instructions on how to view the proposed plans or documents. Hearing notice will be made to adjacent local governments and other interested parties. All reasonable efforts will be made to schedule hearings at times convenient to residents and persons most likely to be affected by proposed plans. If a significant number of non-English-speaking persons are expected to participate, the City will make all reasonable efforts to provide appropriate materials and interpretation services to facilitate their participation.

Unless otherwise indicated, all public hearings will take place at the Naperville Municipal Center, 400 South Eagle Street, Naperville, IL 60540. The Municipal Center is fully accessible and centrally located in downtown Naperville. Hearings, meetings and other events may be held at other locations to encourage public participation.

All hearings and meetings will take place 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. These regulations provide that meetings be accessible to individuals with disabilities, and that reasonable accommodation requirements shall be established to facilitate participation by persons with disabilities. The City of Naperville will ensure that all hearings and meetings are held in a location accessible to all individuals and that all persons with hearing, visual or manual impairments may request reasonable accommodations, such as sign language interpreters, and manual and auxiliary aids, a minimum of 48 hours in advance of the scheduled meetings. Language will be included in public hearing notices that provides instructions on how to request reasonable accommodation via telephone (including TDD), email or in person.

Emergency Procedures:

In response to the COVID-19 pandemic, On March 31, 2020, HUD issued a memorandum listing flexibilities, suspensions and waivers available to CDBG grantees pursuant to the Coronavirus AID, Relief, and Economic Security (CARES) Act and directing grantees to amend their Citizen Participation Plan to incorporate applicable waivers. These provisions include allowing grantees to conduct virtual public hearings and to adjust the requirements for reasonable notice. In accordance with the memorandum, the City of Naperville will take the following action:

- Virtual public hearings via live web-streaming or conference call may be conducted so long as public places are closed to the public, in-person participation is deemed unfeasible, or large gatherings are considered a public health risk.
- Minimum notice of a public hearing will be reduced from 14 days to five (5) days via the City's website and other formats, depending on feasibility.
- In accordance with the City's Certifications, real-time responses, accommodations for persons with disabilities and non-English-speaking persons will be made to the greatest extent possible, upon request.

On June 5, 2020, the City of Naperville notified HUD of its intent to use waivers enabling virtual public hearings and changes to reasonable notice requirements beginning June 8, 2020 and ending March 31, 2021, as needed.

❖ Publication of Draft Documents and Public Comment Periods

Policies:

Following completion of draft Community Development Plans, including Consolidated Plans, Annual Action Plans and Assessments of Fair Housing (AFH); Substantial Amendments and Revisions to Community Development Plans; Consolidated Annual Performance Evaluation Reports (CAPER); and amendments to Citizen Participation Plans, the City will ensure that citizens, public agencies, and other interested parties have a reasonable opportunity to examine the contents of these plans and submit comments by publishing the draft plans and providing a public comment period, as required by HUD.

Procedures:

The City will publish the draft document for a public comment period required by HUD to receive comments from citizens, public agencies and other interested parties. The publication of the plan and public comment period will be announced by placing a display advertisement in a local newspaper of

general circulation. The ad will describe the plan's contents and purpose; the beginning and ending dates of the public comment period; dates, times and locations of any planned public hearings; locations where copies of the entire proposed plan may be examined; how to obtain a copy of the plan and instructions for submitting comments. Copies of the draft document will be available at the following locations:

- Public Libraries: 95th Street Library (3015 Cedar Glade Dr.), Naper Boulevard Library (2035 S. Naper Blvd.) and Nichols Library (200 W. Jefferson)
- City of Naperville Website: (www.naperville.il.us/cdbg.aspx)
- City Clerk's Office: Naperville Municipal Center, 400 S. Eagle Street, Naperville, IL
- Upon request, the City will provide a reasonable number of copies of the draft plan to residents and groups at no charge.

Comments may be submitted in writing directly to the Grants Coordinator as well as orally at public hearings. The City will consider all comments when it prepares the final document. The City will summarize the comments and make the summary part of the final adopted plan. Further, the City will attach a summary of any comments that were not accepted and provide a written justification for not using them.

Emergency Procedures:

The HUD Memorandum dated March 31, 2020, referenced in the section on Public Hearings and Meetings, provided waivers allowing the City to adopt the following changes to the length of public comment periods and public notice requirements:

- Reasonable notice and opportunity to comment (the public comment period) will be reduced to five (5) days for Consolidated Plans, Substantial Amendments and amendments to the Citizen Participation Plan.
- The public comment periods for Consolidated Plans, Substantial Amendments and amendments to the Citizen Participation Plan may run concurrently rather than consecutively.
- If public libraries and City offices are closed to the public, documents for public review will be shared via the City's website. Other methods, such as posting of documents in a place visible to the public, may also be used, if feasible. Copies of documents will be mailed or emailed upon request.

On June 5, 2020, the City of Naperville notified HUD of its intent to use waivers enabling virtual public hearings and changes to reasonable notice requirements beginning June 8, 2020 and ending March 31, 2021, if necessary.

❖ Developing Community Development Plans, including Consolidated Plans, Annual Action Plans and Assessments of Fair Housing (AFH)

The following policies and procedures will be used to encourage public participation in the development of Community Development Plans:

1. Availability of Information:

The City will provide citizens, public agencies, and other interested parties with information pertinent to the development of Consolidated Plans, Annual Action Plans and AFH's:

Consolidated Plans and/or Annual Action Plans - The following specific information will be provided on an annual basis at the beginning of the plan development process:

1. The amount of CDBG funds expected to be available. Available funds include the annual CDBG allocation from the federal government, program income generated by CDBG activities that is anticipated to be received during the program year, program income received during the preceding program year that has not been programmed for use, and any unspent CDBG grant funds expected to be available;
2. The range of eligible activities that may be undertaken with such funds;
3. The amount of funds proposed to be used for activities and the estimated benefit to low- and moderate-income persons.

AFH - At the beginning of the public participation process, the City will make any HUD-provided data and any other supplemental information the City plans to incorporate into its AFH available on its website and at the City Clerk's Office. The City will also make available HUD-provided data by cross-referencing to the data on HUD's website.

2. Public Hearings and Meetings:

Consolidated Plans and/or Annual Action Plans - At the beginning of the Consolidated Plan and / or Annual Action Plan development process, the City will hold a public hearing to obtain the views of citizens on housing and community development needs (including priority non-housing community development needs), the development of proposed activities and proposed strategies and actions for affirmatively furthering fair housing. This hearing will also be used to provide the public with specific information to be provided on an annual basis. A second public hearing will take place after publication of the draft plan and announcement of the public comment period, before submission of the plan to HUD.

AFH – The City will hold at least one public hearing to obtain the views of citizens on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs.

Public hearing procedures are described in the section on Public Hearings and Meetings.

3. Publication of Draft Plans/Public Comment Period:

Following completion of the draft Consolidated Plan and / or Annual Action Plan, the City will ensure that citizens, public agencies, and other interested parties have a reasonable opportunity to examine its contents and submit comments.

The City will publish the Consolidated Plan and / or Annual Action Plan for a public comment period of at least 30 days to receive comments from citizens, public agencies and other interested parties using the procedures described in the section on Publication of Draft Documents and Public Comment Periods.

❖ Adopting Substantial Amendments and Revisions to Community Development Plans

The City will officially amend its approved Consolidated Plan / Annual Action Plan or revise its AFH under the following circumstances:

1. Criteria for Amendments:

Consolidated Plans and/or Annual Action Plans - As referenced in CFR 24, Part 91.505, a plan will be amended whenever the City decides to pursue any of the following:

1. To change allocation priorities or the method of distribution of funds; or
2. To carry out an activity by using funds from any program covered by the consolidated plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), but not previously described in the action plan; or
3. To change the purpose, scope, location, or beneficiaries of an activity.

Subrecipients intending to propose changes to their project, have to submit a “Subrecipient Grant Agreement Amendment Request Form” (Exhibit A). The City will determine if the change can be classified as a substantial amendment and will follow the procedure described in this section if the change is substantial. A substantial amendment is defined as:

1. Changes to the CDBG budget for an activity by an amount in excess of twenty-five percent (25%) or \$20,000, whichever is greater;
2. Changes in the purpose, beneficiaries, or location of a project;
3. A change in allocation priorities or method of distribution of funds;
4. A change in the source of funding, from one source to any other source (including program income) covered by the consolidated plan;
5. A change in the use of funds from one eligible activity to another consisting of more than 25% of either program’s budget; or
6. Cancellation of an existing activity funded in an amount in excess of \$20,000 or adding a new activity not previously included in the plan.

AFH - As referenced in CFR 24, Part 5.164, the AFH will be revised under the following circumstances:

1. A material change occurs that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priority goals of the AFH no longer reflect actual circumstances; or
2. Upon notification from HUD that a material change has occurred

2. Publication of Draft Substantial Amendments and Revisions/Public Comment Period:



If a substantial amendment is proposed to the Consolidated Plan or if a revision is proposed to the AFH, the City will seek to ensure citizens, public agencies, and other interested parties have reasonable opportunity to examine its content and comment. This public participation will be accomplished as follows:

The City will publish the draft Consolidated Plan and / or Annual Action Plan Substantial Amendment or the AFH revision for a public comment period of at least 30 days to receive comments from citizens, public agencies and other interested parties using the procedures described in the section on Publication of Draft Documents and Public Comment Periods.

A public hearing will take place after publication of the draft substantial amendment or revision and announcement of the public comment period, before submission of the plan to HUD. Public hearing procedures are described in the section on Public Hearings and Meetings.

❖ **Evaluating the City's Performance in Implementing Community Development Plans**

Following preparation of the Consolidated Annual Performance Evaluation Report (CAPER), the City will ensure citizens, public agencies, and other interested parties have reasonable opportunity to examine its contents and comment. This public participation will be accomplished as follows:

A public hearing will take place after publication of the draft CAPER and announcement of the public comment period, before submission of the plan to HUD.

The City will publish the draft CAPER for a public comment period of at least 15 days to receive comments from citizens, public agencies and other interested parties using the procedures described in the section on Publication of Draft Documents and Public Comment Periods.

❖ **Developing and Amending Citizen Participation Plans**

The City must provide citizens with a reasonable opportunity to comment on substantial amendments to the Citizen Participation Plan. The City will publish the draft amended Citizen Participation Plan for a public comment period of at least 15 days to receive comments from citizens, public agencies and other interested parties using the procedures described in the section on Publication of Draft Documents and Public Comment Periods.

A public hearing will take place after publication of the draft amended Citizen Participation Plan and announcement of the public comment period, before submission of the plan to HUD. Public hearing procedures are described in the section on Public Hearings and Meetings.

❖ **Developing Plans and Emergency Procedures to Address Urgent Needs**

In the event of declared disasters or emergencies, whether natural or man-made, it may be necessary to prepare substantial amendments to existing community development plans. Substantial amendments may be used to fund new activities and/or reprogram funds to meet needs resulting from the disaster or emergency. If possible, the City will utilize guidance or waivers provided by HUD to expedite the adoption of these revisions.

Potential uses of funds include all CDBG-eligible activities that meet one of the three National Objectives: 1) Benefit to low- and moderate-income persons, 2) Aid in the prevention of slums or blight, or 3) Meeting an urgent need.

Potential activities that may be funded if conditions pose a serious and immediate threat to the health and welfare of the community and are of recent origin or recently became urgent include clearance of debris; extra security patrols; demolition; clearance or reconstruction of damaged property posing an immediate threat to public safety; emergency reconstruction of essential water, sewer, electrical, medical and telephone facilities; emergency repair of streets and sidewalks; and provision of relief services to individuals.

If necessary, to address a declared disaster or emergency, and if permitted by HUD, the City may reprogram up to \$300,000 of unspent CDBG funds without requiring a substantial amendment. Unspent funds not previously allocated to a specific subrecipient may be reprogrammed or moved to a different budget category without requiring a substantial amendment.

ADDITIONAL PROCEDURES

❖ Documents and Records Available to the Public

All adopted Consolidated Plans/Annual Action Plans and Substantial Amendments, AFH's and AFH revisions, CAPERs and citizen participation plans will be made available to the public. Copies will be provided to the 95th Street Library (3015 Cedar Glade Dr.), Naper Boulevard Library (2035 S. Naper Blvd.), Nichols Library (200 W. Jefferson) and City Clerk's Office at the Naperville Municipal Center (400 S. Eagle St.), and on the City of Naperville website (www.naperville.il.us/cdbg.aspx). All of these facilities are fully accessible. If necessary, materials will be made available, upon request, in a form accessible to persons with disabilities or in a language that can be understood by non-English speaking persons.

❖ Access to Records

Information and records relating to the City's Consolidated Plan/Annual Action Plans, AFH, and its use of CDBG funds during the preceding five (5) years shall be made available to the public. Citizens, public agencies, and other interested parties shall be able to obtain timely access to such information in the City Clerk's Office or from the Grants Coordinator.

❖ Technical Assistance

The Grants Coordinator shall provide technical assistance to groups representative of persons of low and moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan, with the level and type of assistance determined by the City. This technical assistance shall consist of the provision of available and relevant information rather than funds.

❖ Complaint Procedures

Complaints related to the Consolidated Plan/Annual Action Plans and Substantial Amendments, AFH's and revisions to the AFH, and CAPERs will follow a formal Appeals Process/Grievance Procedure described in the "Subrecipient Monitoring Program." All written complaints from residents will receive a written response within 15 working days.

❖ **Displacement Policy**

The City will seek to avoid any displacement of residents due to its CDBG programs. In the case where displacement is unavoidable, the City will seek to minimize displacement and assist any persons displaced by complying with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. Assistance will be provided to any household that is involuntarily and permanently displaced, regardless of income.

