

**APPENDIX I**

**CITY OF TOLEDO  
CITIZEN PARTICIPATION PLAN**

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## CITY OF TOLEDO CITIZEN PARTICIPATION PLAN

### **TABLE OF CONTENTS**

<b>INTRODUCTION.....</b>	<b>1</b>
<b>PURPOSE AND INTENT .....</b>	<b>1</b>
<b>RESOLUTION.....</b>	<b>3</b>
<b><i>PUBLIC COMMENT PERIODS</i> 4</b>	
• Consolidated Plan.....	4
• Annual Action Plan .....	4
• CAPER.....	4
• Substantial Amendments.....	4
<b><i>PUBLIC HEARINGS</i> 4</b>	
• Consolidated Plan/Action Plan.....	4
• CAPER.....	5
• Substantial Amendments.....	5
<b>AVAILABILITY OF INFORMATION.....</b>	<b>6</b>
<b>PERSONS WITH DISABILITIES.....</b>	<b>6</b>
<b>NON-ENGLISH SPEAKING PERSONS .....</b>	<b>6</b>
<b>COMPLAINT PROCEDURES.....</b>	<b>6</b>
<b>DISPLACEMENT PROCEDURES .....</b>	<b>7</b>
<b>COMMONLY USED TERMS AND DEFINITIONS.....</b>	<b>8</b>
• Action Plan.....	8
• Citizen Participation Plan (CPP) .....	8
• Citizens Review Committee (CRC) .....	8

- Community Development Block Grant (CDBG) ..... 8
- Consolidated Annual Performance and Evaluation Report (CAPER)..... 8
- Consolidated Plan (CONPLAN) ..... 8
- Emergency Shelter Grant (ESG) ..... 8
- HOME Investment Partnerships (HOME) ..... 8
- Department of Housing and Urban Development (HUD)..... 8
- Internal Review Committee (IRC) ..... 9
- Substantial Amendment ..... 9

## **CITY OF TOLEDO**

### **CITIZEN PARTICIPATION PLAN**

#### ***INTRODUCTION***

The City of Toledo, as a U.S. Department of Housing and Urban Development (HUD) entitlement recipient, is required to have and implement a Citizen Participation Plan (CPP) for HUD-funded programs.

The plan sets forth the policies and procedures for citizen involvement in the development of the Consolidated Plan (CONPLAN), Annual Action Plan, any substantial amendment and the Consolidated Annual Performance and Evaluation Report (CAPER) as required by HUD, 24 CFR Part 91, Subpart B.

The Department of Neighborhoods (DON) will act as the agent for the City of Toledo to implement all aspects of the Citizen Participation Plan. Implementation will be accomplished through consultation and direct citizen participation.

The DON will consult with public and private agencies; organizations; state and other local government jurisdictions; and with the public housing authority.

#### **PURPOSE AND INTENT**

Citizen participation is an integral part of the overall planning, evaluation, assessment and implementation process of the City of Toledo's CDBG, HOME Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and any other applicable HUD grants. In order for the City to access these resources, it must prepare and submit a Consolidated Plan and CAPER. These reports are developed using input from citizens, community agencies and beneficiaries.

The purpose of the plan is to provide citizens and beneficiaries with the information and mechanisms to allow them to fully participate at all levels of the City's Consolidated Plan, Annual Action Plan and CAPER processes. The City of Toledo recognizes the importance of citizen participation and fully endorses citizen involvement in its housing and community development activities.

The Citizen Participation Plan will allow the City of Toledo to:

- Work in concert with the Citizens Review Committee (CRC) and Internal Review Committee (IRC), comprised of volunteer and city-appointed community representatives.
- Provide citizens an opportunity to participate in the development of all Community Planning and Development (CPD) programs, set priorities, and establish goals and comment on performance.
- Encourage the submission of comments and proposals (particularly by low- and moderate-income residents).
- Provide for timely responses to proposals and comments submitted.
- Schedule meetings and public hearings at times and locations that permit broad participation and attendance.
- Provide complete information regarding the City's CDBG, HOME, ESG and any other applicable HUD grants, relevant legislation and regulations, and other materials and documents as needed or requested to ensure knowledgeable citizen involvement.

It is the intent of this Citizen Participation Plan (CPP) that all citizen participation be conducted in an open manner with freedom of access for all interested persons.

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## Public Comment Periods

The City of Toledo, in order to ensure that the public has the ability to comment on its various plans, adheres to the following implemented policies and principles:

**Development Of The Consolidated Plan:** Before adoption of the CONPLAN, annual One-Year Action Plan, CAPER and any substantial amendments, the DON will make available to citizens, public agencies and other interested parties information that includes at least the following:

- Amount of assistance the City expects to receive (including HUD entitlement grant funds and program income);
- Range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate income;
- The City's Plan to minimize the displacement of persons and to assist any persons displaced by housing activities;

**Consolidated Plan:** Any interested party or individual has 30 days to comment on the five-year plan before its submission to HUD. Notices for the comment periods will be published in the local newspaper and two local minority periodicals at least 14 days in advance of the comment period. Information will also be available on the City of Toledo website and disseminated to subrecipients of HUD funding. News releases will be sent to local media, announcing the comment period and location of draft copies. A summary of all comments will be included within the final CONPLAN submitted to HUD.

**Annual Action Plan:** Any interested party or individual has 30 days to comment on the annual one-year plan before its submission to HUD. Notices for the comment periods will be published in the local newspaper and two local minority periodicals at least seven days in advance of the comment period. Information will also be available on the City of Toledo website and disseminated to subrecipients of HUD funding. News releases will be sent to local media, announcing the comment period and location of draft copies. A summary of all comments will be included within the final Action Plan submitted to HUD.

**CAPER:** Any interested party or individual has 15 days to comment on the CAPER before its submission to HUD. Notices for the comment periods will be published in the local newspaper and two local minority periodicals at least seven days in advance of the comment period. Information will also be available on the City of Toledo website and disseminated to subrecipients of HUD funding. News releases will be sent to local media, announcing the comment period and location of draft copies. A summary of all comments received will be included within the final CAPER submitted to HUD.

**Substantial Amendments:** Any interested party or individual has 30 days to comment on any substantial amendments to the CONPLAN or Action Plan before its submission to HUD, unless specifically waived by HUD. Notices for the comment periods will be published in the local newspaper and two local minority periodicals at least seven days in advance of the comment period. Information will also be available on the City of Toledo website and disseminated to subrecipients of HUD funding. News releases will be sent to local media, announcing the substantial amendment and location of draft copies containing the changes. A summary of all citizen comments will be included within any substantial amendment forwarded to HUD. All comments will be accepted.

## **Public Hearings**

**Consolidated Plan/Annual Action Plan:** A minimum of two public hearings are held to obtain citizen views on the Consolidated Plan and the annual action plans. These public hearings also provide a forum for public comment on program performance, as well as an opportunity for citizens to make proposals and pose questions. Hearings are held toward the end of the workday for the convenience of working people, at a location convenient to beneficiaries.

Notices for the public hearing will be published at least 14 days in advance for the CONPLAN and Action Plan in the local newspaper and two local minority periodicals. Written notice will be forwarded to the local public housing authority, announcing the date, time and location of the public hearing(s). All subrecipients will be notified. All comments received at the public hearings will be accepted and noted as part of the final document.

For the CONPLAN, the City of Toledo will also provide focus groups and forums for citizens at various times and locations to allow for greater participation from beneficiaries and potential beneficiaries. These forums and focus groups will address neighborhood and resident concerns and assist in the development of priorities for the City of Toledo's 5-Year CONPLAN. Notices of these open meetings will be published at least 14 days in advance in the local newspaper and two local minority periodicals. Information will also be available on the City of Toledo website in addition to notices sent to all local media, announcing the dates, times and locations of these open meetings. Written notice will also be sent to all subrecipients.

**CAPER:** A minimum of one public hearing is held to obtain citizen views on the CAPER. This public hearing provides a forum for public comment on program performance, as well as an opportunity for citizens to make proposals and pose questions. The hearing is held toward the end of the workday for the convenience of working people, at a location convenient to beneficiaries.

Notices for the public hearing will be published at least seven days in advance of the CAPER hearing in the local newspaper and two local minority periodicals. Written notice will be forwarded to all subrecipients, announcing the date, time and location of

the public hearing. All comments received at the public hearing will be accepted and noted as part of the final document submitted to HUD.

**Substantial Amendments:** Depending on the scope of the proposed amendment, a minimum of one public hearing may be held to obtain citizen comment on any substantial amendments to the CONPLAN/One-Year Action Plan. (*See page 9 for definition of substantial amendment.*) The public hearing provides a forum for the public to express their opinions of the proposed changes before final submission to HUD. The hearing will be held toward the end of the workday for the convenience of working people, at a location convenient to beneficiaries.

Notices for the public hearing will be published at least 7 days in advance of the hearing in the local newspaper and two local minority periodicals. Written notice will be forwarded to all subrecipients, announcing the date, time and location of the public hearing. Information will also be available on the City of Toledo website. All comments received at the public hearing will be accepted and noted within the final substantial amendment submitted to HUD.

## **AVAILABILITY OF INFORMATION**

Draft copies and final copies of the CONPLAN, Annual Action Plan, CAPER and any substantial amendments will be available to all citizens at One Government Center, and various locations, including all local branches of the Toledo-Lucas County Public Library, Lucas Metropolitan Housing Authority, Fair Housing Center and the Ability Center. Depending on the hours of operations, all plans are accessible throughout the week and day.

Hours of viewing at One Government Center will be from 8 a.m. to 4 p.m., Monday through Friday and will be available in the Department of Neighborhoods, Department of Development, and Clerk of Council.

A reasonable amount of copies may be obtained from the City of Toledo at no charge.

The above documents are considered public information with the exception of records that contain confidential information about individuals participating in or benefiting from the CDBG programs.

## **PERSONS WITH DISABILITIES**

Public hearings and community meetings will be held at locations accessible to persons with restricted mobility. A sign-language interpreter will be available at public hearings and community meetings, if requested at least 72 hours in advance.

The City of Toledo maintains a TDD system for all hearing-impaired persons. Access to the system is available by calling (419) 245-1400.

Department staff is available to assist visually impaired persons by reading to them or providing large-print documents.

## NON-ENGLISH SPEAKING PERSONS

Interpreters will be made available for non-English speaking citizens at public hearings and community meetings, if requested at least 72 hours in advance. Copies of the Consolidated Plan, Annual Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), and substantial amendments will be made available in Spanish from the City, if requested at least one week in advance.

## COMPLAINT PROCEDURES

Oral or written complaints concerning the planning, implementation, or reporting of the Consolidated Plan, Annual Action Plan, CAPER, and substantial amendments should be submitted to the director of the Department of Neighborhoods, One Government Center, Suite 1800, Toledo, OH 43604, (419) 245-1400. Acknowledgment of written complaints or concerns will be provided, as practical, within fifteen (15) working days. Any citizen may contact the Mayor or City Council to discuss problems not resolved at staff level.

## **DISPLACEMENT PROCEDURES**

The City of Toledo will comply with all federal regulations governing residential anti-displacement and relocation assistance as they pertain to the CDBG, ESG and HOME programs.

Specifically, the City of Toledo will comply with Section 104(d) of the Housing and Community Development Act of 1974 [42 U.S.C. 5304(d)] and implementing regulations at 24 CFR Part 42. HUD assisted programs administered by the DON which are governed by these regulations are the Community Development Block Grant Program, the Section 108 Loan Guarantees Program, the Urban Development Action Grant Program, and the HOME Investment Partnerships Program.

The City of Toledo will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than as lower-income housing as a direct result of activities assisted with funds under the above-stated programs.

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Pursuant to 24 CFR 42.375(c) and before entering into a contract committing the City of Toledo to provide funds for a project that will directly result in demolition or conversion, the City of Toledo will make public by publication in a newspaper of general circulation and submit to the U.S. Department of Housing and Urban Development the following information in writing:

- A description of the proposed assisted activity;
- The location on a map and number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for lower-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 location on a map and the number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units. If such data are not available at the time of the general submission, the submission will identify the general location on an area map and the approximate number of dwelling units by size, and information identifying the specific location and number of dwelling units by size will be submitted and disclosed to the public as soon as it becomes available;
- The source of funding and a time schedule for the provision of replacement dwelling units;
- The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
- Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

To the extent that the specific location of the replacement housing and other data in select items above are not available at the time of the general submission, the City of Toledo will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available.

The City of Toledo, DON, is responsible for tracking the replacement of lower-income dwelling units and ensuring that it is provided within the required period.

The City of Toledo will provide relocation assistance, as described in 24 CFR Part 42, Subpart C--Requirements Under Section 104(d) of the Housing and Community Development Act of 1974, to each lower-income person who, in connection with an

activity assisted under any program subject to this subpart, permanently moves from real property or permanently moves personal property from real property as a direct result of the demolition or conversion of a lower-income dwelling.

The City of Toledo, DON is responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling units or the conversion of lower-income dwelling units to another use.

Consistent with the goals and objectives of activities assisted under Section 104(d) of the Housing and Community Development Act of 1974, as amended, the City of Toledo will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- In structuring proposed projects for funding consideration, City of Toledo will (a) make an assessment of the potential displacement which might occur from the project as proposed, (b) consider alternatives which would minimize displacement, and (c) select the most feasible alternative which both meets project goals and minimizes displacement.
- For programs assisted through HOME, CDBG or Section 108 resources, in which a property owner voluntarily seeks such assistance (such as a rehabilitation loan), the City of Toledo will assess the potential displacement, which may result from the project, and the costs associated with such displacement and advise the property owner. The property owner shall be further advised of his/her responsibility to pay for such costs. The City of Toledo will provide technical assistance to owners on methods to minimize permanent displacement (and therefore costs) such as scheduling construction activities in phases to allow tenants to temporarily move and thereby avoid permanent displacement, referring eligible tenants to assistance programs (such as Section 8) to help stabilize the tenant's rent, or other alternatives appropriate to the assisted activity.
- For major publicly initiated programs, where the displacement assessment indicates substantial direct or indirect displacement may occur, the City of Toledo will prepare a project specific displacement mitigation/ relocation plan in order to ensure implementation consistent with HUD regulations.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation by working with empty units first.
- Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.

## TECHNICAL ASSISTANCE

The DON will provide technical assistance, through training in the following areas:

- Development of proposals for interested parties (to be conducted following the announcement of funding availability but before development of the plan is completed);
- Federal requirements for compliance for those agencies and organizations selected to receive funding through the Consolidated Plan (to be conducted at the beginning of the funding year).
- The DON will also attempt to provide individual technical assistance upon request or at the direction of the DON director to groups representing persons of low- and moderate- income representing persons of low- and moderate- income and to those agencies and organizations selected to receive funding through the Consolidated Plan. Requests for individual assistance should be made in writing with a reasonable amount of time to schedule and plan for the technical assistance.

## ACCESS TO RECORDS

In accordance with Ohio state law, housing and community development records belonging to the City of Toledo are considered public information. Exceptions are records that contain confidential information about individuals participating in or benefiting from the CDBG, HOME, ESG programs. The DON will provide citizens, public agencies and other interested parties with reasonable and timely access to public records relating to their past use of CDBG, HOME, ESG and related assistance for the previous five years. This information shall be made available to interested parties as requested and be noticed as such.

## **Commonly Used Terms and Definitions**

**Action Plan-** The annual application that describes how the City will use its anticipated CDBG, HOME and ESG resources to implement the Consolidated Plan (CONPLAN) in a one-year time frame. The Action Plan also describes other actions that the City, its subrecipients (third-party partners), and other community partners will take to implement its Consolidated Plan.

**Citizen Participation Plan (CPP)** - The required plan that sets forth the City's policies and procedures for public input in HUD programs. The adopted plan must be used when developing the CONPLAN, the Action Plan and any substantial amendments to either plan.

**Citizens Review Committee (CRC)** – An advisory committee to the Mayor and City Council made up of individual volunteers and community leaders. It is part of the official body, in concert with the IRC (Internal Review Committee), responsible for making funding recommendations for the CDBG and ESG programs based on application review.

**Community Development Block Grant (CDBG)** - A federally funded program administered by HUD whose three primary objectives are: to benefit low/moderate income persons through the creation of suitable living environments, decent housing, and economic opportunities; address and/or eliminate slum and blight; and address an urgent need.

**Consolidated Annual Performance and Evaluation Report (CAPER)** - The one-year accomplishments and progress of the CDBG, HOME and ESG programs administered by the City and its subrecipients.

**Consolidated Plan (CONPLAN)** – A Five-Year comprehensive plan that describes the City's housing and community development needs and goals along with projected local strategies to address them.

**Emergency Shelter Grant (ESG)** - A federally funded program administered by HUD which may be used for: the rehabilitation, renovation, or conversion of buildings for use as a homeless shelter, operating expenses of a shelter or transitional facility, essential services, homeless prevention activities and administrative costs for homeless facilities.

**HOME Investment Partnerships (HOME)** - A federally funded program administered by HUD for the purpose of homeowner rehabilitation, homebuyer activities, rental housing, and tenant-based rental assistance activities.

**Department of Housing and Urban Development (HUD)** - The federal agency that oversees the use of federally funded programs including CDBG, HOME, and ESG funds, approves the City's Consolidated Plan, Annual Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), and any amendments to the

aforementioned items. HUD is the regulatory agency charged with monitoring the City for compliance with all applicable contractual requirements.

**Internal Review Committee (IRC)** - An advisory committee to the Mayor and City Council comprised of City of Toledo staff. . It is part of the official body, in concert with the CRC, responsible for making funding recommendations for the CDBG and ESG programs based on application review.

**Substantial Amendment** - The CONPLAN and Annual Action Plan are living documents and, therefore, the City of Toledo recognizes that it may periodically be necessary to make significant changes to the documents. An amendment to the CONPLAN or Annual Action Plan is one that includes a change of thirty percent (30%) or more in the amount of funds allocated to an activity; a change within the programmatic service/scope of the plan, location or beneficiary change; or to implement a new activity.

The City of Toledo substantial amendment policy will follow 24 CFR 91.505 – “*Amendments to the Consolidated Plan,*” unless otherwise directed by HUD.

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