

Lake County, Ohio
Citizen Participation Plan
For HUD Programs

Board of Lake County Commissioners
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Table of Contents

Introduction.....	3
General.....	4

I. Purpose and Goals.....	4
A. Encourage input	
B. Provide information	
C. Generate involvement and community support	
II. Participation Implementation	5
A. Information dissemination & eligible activities	5
1. CDBG Program	
2. HOME Program	
B. Minimize displacement.....	6
C. Public hearings held at initial stage of planning process	6
D. Provision of Technical Assistance	7
E. Publication of Plans to afford opportunity for review and comment.....	7
F. Substantial Amendments to Consolidated Plan or Annual Action Plan	7
G. Consolidated Annual Performance Evaluation Report review and comment.....	7
H. Making the Citizen Participation Plan Public.....	7

Introduction

The Board of Lake County Commissioners (the Commissioners) continues to receive funding from the United States Department of Housing and Urban Development – Community Planning & Development Division (HUD-CPD) as part of a formula allocation. The receipt of Community Development Block Grant (CDBG) funding as a direct entitlement Urban County began in 1985 as a result of the Housing and Community Development Act in 1974. The receipt of funding as a Participating Jurisdiction under the Home Investment Partnership Program (HOME) began in 1992 subsequent to the passage of the Cranston-Gonzalez National Affordable Housing Act of 1990. The current Lake County Urban County includes all of the communities of Lake County with the exception of the Village of Waite Hill and the City of Mentor. The City of

Mentor became a CDBG direct entitlement after the city's population exceeded 50,000. Lake County Office of Planning and Community Development (Planning and Community Development) administers the planning and implementation of the HUD funding.

Revisions to the Citizen Participation Plan may occur periodically to maintain compliance with changes to statutes and regulations, or to accommodate other changing conditions that necessitate modifications. With at least every Consolidated Plan five-year cycle, staff will review Citizen Participation Plan the need to make modifications. Subsequent to the Commissioners' approval of this Citizen Participation Plan the plan will be effective until it is amended or otherwise replaced.¹

Consolidated Submissions On January 5, 1995, the U.S. Department of Housing and Urban Development (HUD) issued the final rule for Consolidated Submissions of Community Planning and Development Programs which amended Article 24 of the Code of Federal Regulations (CFR) Parts 91, 92, 570, 574, 576 and 968. The Consolidated Submissions Regulations require that activities funded through formula grant programs administered by HUD be consistent with a Consolidated Plan. Lake County Consolidated Plan was required to be submitted to HUD before the beginning of the County's 1995 Fiscal Year.

Affirmatively Furthering Fair Housing Rule The revisions and additions that are required to the Citizen Participation Plan and Consolidated Plan process due to the adoption of the final Affirmatively Furthering Fair Housing Rule at 24 CFR 5 are detailed in HUD Memorandum dated March 14, 2016. ²

U.S. Department of Housing and Urban Development (HUD) regulations found at 24 CFR 91.105 specifically address the content and standards of a Citizen Participation Plan for local governments. This Citizen Participation Plan sets forth the policies and procedures for citizen participation with respect to HUD formula grant programs including but not limited to Community Development Block Grant (CDBG) and Home Investment Partnership (HOME) Programs and the following Consolidated Plan documents:

Citizen Participation Plan sets forth the policies and procedures for citizen participation for HUD formula grant programs
Consolidated Plan is a five year plan that guides the use and expenditure of federal HUD funding.

Annual Action Plan is the annual submission to HUD of how funds will be spent in the next twelve month period. It is due to HUD 45 days before the start of the program year (August 15th).

Consolidated Annual Performance Evaluation Report (CAPER) is due to HUD 90 days after the end of the program year (December 31st). It reports on the accomplishments, beneficiaries and use of funds in the previous 12 months, compared against both the Consolidated Plan and the annual Action Plan.

Assessment of Fair Housing (AFH) is the analysis undertaken pursuant to 24 C.F.R. § 5.154 of the AFFH Rule that includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals. Participants (States, local governments, public housing authorities) may collaborate.

This Citizen Participation Plan reflects various ways in which citizens may participate in these HUD programs towards the fulfillment of overall HUD's Citizen Participation Goals; in accordance with provisions of Section 104(a) of the 1974 Housing and Community Development Act, 24 CFR Part 91 – Consolidated Submission for Community Planning and Development Programs, Final Rule and Affirmatively Furthering Fair Housing Rule at 24 CFR 5.

The two primary planning and implementation processes in which citizens may want to participate are the Consolidated Plan and the Assessment of Fair Housing. The Consolidated Plan, covering primarily HOME and CDBG funds, guides the use of federal funds in the Lake County Urban County. The County's Consolidated Plan is both the application for funds and the County's plan for expending the funds on stated goals and objectives. The Consolidated Plan elements are prescribed by

¹ To meet the intent of the Consolidated Plan and to assure conformance with the performance standards of the HUD-CPD Programs, Lake County adopted a specific plan for citizen participation with the Resolution adopted by the Board of County Commissioners on August 8, 1995.

² "Incorporating 24 CFR Part 5 Affirmatively Furthering Fair Housing into 24 CFR 91.10 Consolidated Program Year, 24 CFR 91.105 Citizen Participation Plan for local governments and 24 CFR 91.115 Citizen Participation plan for States."

HUD in Subpart C of 24CFR (91.200 – 91.230) which includes: Housing and Homeless Needs Assessment, Housing Market Analysis, Five Year Strategic Plan, Action Plan, Certifications, Amendments and Monitoring. Other General Requirements related to the Consolidated Submissions are described in Subpart F 91.500 – 91.600 and include HUD approval action, Amendments, Consistency determinations, Funding determinations by HUD, Performance reports, Performance review by HUD and Waiver authority. A detailed description of these elements are found in Section 91 of Part 24 of the Code of Federal Regulations.

The guidance provided by HUD regarding the incorporation of the Assessment of Fair Housing (AFH) into the Consolidated Plan and or Annual Action Plan process requires the addition of at least one public meeting to provide opportunity for public input specifically on the AFH. The guidance permits “Participants” to collaborate to create and submit a joint or regional AFH upon HUD approval and alignment of Consolidated Plan cycles. It also requires the adoption of a timetable for submission to HUD that pre-dates by 270 days the current submission schedule for the Consolidated Plan and or Annual Action Plan. In keeping with that guidance the Citizen Participation Plan hereby provides for one public hearing to accept public comment, to be held in the month of September; the publication of a draft Assessment of Fair Housing by the third Friday of November; the provision of a thirty (30) day comment period following publication of draft; the consideration and inclusion of commentary made during that comment period; and the submission of the initial Assessment of Fair Housing by the due date of January 4, 2017. In the preparation of the Assessment of Fair Housing community input will be sought and collected in various formats from multiple stakeholders; including but not limited to: representatives of local, regional, state and federal government, educational and transportation systems, faith based organizations, business, non-profit agencies, persons/organizations involved in the development, sale or rental of housing, and persons/organizations representative of the protected classes identified in state and federal fair housing laws³

Publicly available online tools that provide detailed data analysis and geographic information systems mapping capabilities serve to inform the citizen participation process.⁴ Lake County staff will use the required secure online resources for planning, submission of reports and financial transactions.⁵

The requirements for citizen participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of the above-mentioned programs and documents, but rather facilitate citizen access to, and engagement with, the HUD - CPD funding sources. The Rules and Regulations at 24 CFR Part 91 provide that no part of this Citizen Participation Plan shall be construed to restrict the responsibility of Lake County for the development and execution of its Consolidated Plan. Accordingly, the citizen participation requirements of Plan do not include concurrence by any person or group involved in the citizen participation process in making final determinations concerning the findings and contents of the application. The sole responsibility and authority to make such final determination rests exclusively with Lake County.

General

I. Purpose and Goals

The purpose of the Lake County Citizen Participation Plan is to provide for and to encourage citizen participation in the consolidated planning process, particularly for those persons that are low - moderate income individuals or residents of low - moderate income neighborhoods.⁵ The overall goals of the HUD – CPD programs covered under the Consolidated Plan Submission requirements are to develop viable urban communities by providing decent housing and a suitable living environment, and expanding economic opportunities principally for low - moderate persons. The primary means toward accomplishing this end is to extend and strengthen partnerships among all levels of government and private sector, including for profit and non-profit organization. The goals of the Citizen Participation Plan are to:

³ **Ohio** Fair Housing law lists race, color, religion, sex, military status, familial status, ancestry, disability, or national origin as protected classes while **Federal** Fair Housing Amendments Act includes: Race/color, National origin, Religion, Gender, Familial status, Disability.

⁴ www.HUDexchange.info CPDMaps and AFFH tool⁵

Integrated Disbursement Information System

⁵ A low and moderate income neighborhood is any residential area where the US Census data or eligible survey determines that over 51% of the residents have incomes below 80% of the area median income, as published annually by the United States Dept. of Housing and Urban Development.

- A. Encourage citizens, particularly low and moderate income residents and residents of low and moderate income neighborhoods, to participate in the major planning and implementation efforts, including the development of the five-year Consolidated Plan, Annual Action Plan, substantial amendments to Consolidated/Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER) and the Assessment of Fair Housing.
- B. Provide information on community needs that can be addressed with HUD CPD funds.
- C. Generate involvement in and commitment to proposed solutions. Provide community support and participation in various projects funded with HUD CPD funds.

II. Participation Implementation

The Citizen Participation Plan will be implemented by the Commissioners and Planning and Community Development, agencies which have the authorized responsibility of administering the Community Development Block Grant (CDBG) and Home Investment Partnerships (HOME) Programs, at the direction of the County's Chief Executive Officer.

The Commissioners and Planning and Community Development shall maintain all records and files pertinent to the citizen participation process including the minutes of all meetings and public hearings conducted in conjunction with the Community Development Block Grant and the HOME Investment Partnerships Programs. Such records and files shall be available for public inspection at the County Commissioners' Office during the normal working hours, Monday through Friday, 8:30 a.m. to 4:00p.m.

The Consolidated Plan must be filed with the U.S. Department of Housing and Urban Development (HUD), Columbus Area Office, no later than 45 days prior to the beginning of the next program year. The beginning of the program year for all programs subject to the Consolidated Planning requirement has been specified as October 1 by Lake County. Implementation of the citizen participation plan will be designed with consideration of this predetermined schedule for submission of the Consolidated Plan.

Information will be made available through alternate modes of communications and translation to allow and encourage opportunities to participate in the HUD-CPD programs by persons with disabilities that limit vision, hearing, speech or comprehension, or by persons with limited English proficiency.

A. Information dissemination of available Federal funds and eligible activities

HUD notifies the County of its annual allocation of HUD funds each year. The County will publicize the anticipated funding level and general information on eligible activities through news releases and paid advertisements at least 10 days before public meetings. The Notice will specify the purpose of the programs, the anticipated amount of funds available to be awarded under each program, when public meetings will be scheduled, when and how citizens will have an opportunity to participate in the development of the Consolidated Plan, and when and how technical assistance will be made available to citizens to understand program requirements.

1. CDBG Program

The Urban County eligible activities are as follows:

- a. Maintain the housing stock by rehabilitating existing housing for low and moderate income persons and people with disabilities.
- b. Acquire/rehabilitate facilities providing programs for the benefit of low and moderate income persons.
- c. Develop rental housing opportunities for low and moderate income households.
- d. Develop ownership housing opportunities for low and moderate income households.
- e. Promote economic development and neighborhood revitalization in target areas that will benefit low and moderate income persons.
- f. Provide assistance for public service agencies benefitting primarily low and moderate income persons.

- g. Provide public improvements in target areas.
- h. Take action to address slum and blight on a spot or area-wide basis
- i. Remove architectural barriers and improve physical access and mobility for people with disabilities
- j. Administrative and planning costs.

2. HOME Program

HOME funds may be used by a participating jurisdiction to provide funds to develop and support affordable rental housing and home ownership affordability through acquisition (including assistance to home buyers), new construction, reconstruction, rehabilitation, tenant-based rental assistance including security deposit, administrative and planning costs, and/or payment of operating expenses of community housing development organization (CHDO). The housing must be permanent housing, and includes the provision of permanent housing for disabled homeless persons.

B. Minimize displacement of persons by community development activities

Public meetings will be held early in the planning process each year to discuss the community development activities that may be undertaken. Although the County expects no displacement to occur as a result of its activities, the County will inform citizens of the availability of assistance to persons displaced by proposed community development activities at the public meetings, and follow the procedures outlined in accordance with the requirements of Section 104(d) of the Housing and Community Development Act of 1974, as amended.

C. Public hearings held at initial stage of planning process

HUD requires that Lake County hold two (2) public hearings during each program year at different stages in the planning process. In order to provide ample opportunity for citizens throughout Lake County to participate in the planning process and the assessment of community needs, the Commissioners will hold one (1) public hearing at least four (4) weeks before funding requests are due to be submitted by communities and agencies and one (1) public hearing at a different location in the County following the receipt of funding requests.

At the first public hearing, the CDBG and HOME programs will be outlined, the anticipated amount of funding available will be announced, eligible and ineligible activities will be discussed, application forms will be disseminated, and other federal program requirements will be explained. Citizen opinions and views on the utilization of funds, past performance and previously funded activities, and the County’s community development needs and priorities will be solicited. Individuals, agencies, or communities wishing to submit applications, proposals or suggestions will be asked to do so. These public hearings will be held in community facilities that are open to the public and handicapped accessible. The purpose of the second public hearing is to review and discuss any comments submitted and to solicit citizen views and opinions on the proposed projects, past performance and previously funded projects, and overall community development needs. The second public hearing will be held after the Proposed Statement of Activities is published in the non-legal section of a local newspaper and made available through a press release and other electronic media formats. The public will be invited to submit comments.

The Draft Consolidated Plan and/or Draft Annual Action Plan will be available for a thirty (30) day public comment period prior to the submission of the final Consolidated Plan or Annual Action Plan to HUD. In keeping with the October 1 start date of Lake County’s fiscal year with HUD, the Consolidated Plan and or Annual Action Plan must be submitted by August 15 of each year. Citizens may also submit written comments to the Commissioners at any time during the development of the Consolidated Plan and throughout the program year.

D. Provision of Technical Assistance to public related to the Consolidated Planning Process

Lake County will provide whatever technical assistance is necessary to any citizen, community or agency to assist them with developing their proposal for funding. Anyone interested in technical assistance or general information for the CDBG or HOME Program should contact the Planning and Community Development at (440) 350-2740, Monday

through Friday 8:00am to 4:30pm. General information regarding the CDBG and the HOME programs, application materials, previously funded activities, and eligible and ineligible activities will be provided at all public meetings, and will be provided to interested individuals, communities and organizations upon request. Technical assistance will be provided in oral and/or written form. Funds will not be available for preparation of proposals for activities to be funded.

E. Publication of Consolidated Plan and or Annual Action Plan to afford opportunity for review and comment

The Summary of the Draft Consolidated Plan and a Proposed Statement of CDBG and HOME Activities will be published fourteen (14) days prior to the second public hearing; and thirty (30) days prior to submission to HUD. The complete Draft Consolidated Plan and Proposed Statement of Activities will be made available to the public in printed form and will be provided to individuals, communities and organizations upon request. A complete copy of the Consolidated Plan will be available for public review at the Commissioners' Office, Planning and Community Development, posted to website and at local public libraries. All comments submitted in writing, or orally at the public hearings will be considered. A summary of these comments will be included in the final draft of the proposed Consolidated Plan.

F. Substantial Amendments to Consolidated Plan and or Annual Action Plan

If an amendment to the Consolidated Plan or Annual Action Plan involves the addition of new resources or the use of greater than 20% of the annual allocation of either CDBG or HOME Program or a significant change (50%) in the scope, outcome or number of beneficiaries of an approved project level for which funds have already been approved by HUD, then the amendment will be considered a substantial amendment subject to citizen participation requirements. Any qualifying proposed substantial amendments will be publicized through a public notice in the local newspaper. After approval by the Commissioners, a period of thirty days will be provided to receive public comments on any qualifying proposed substantial amendments before the amendment is sent to HUD for review and approval. HUD approval is required before an amendment can be implemented. The County will consider any comments submitted orally, in writing or in electronic form in preparing the substantial amendment to the Consolidated Plan or Annual Action Plan. Any comments or view of citizens received in writing or orally shall be considered. A summary of the comment or view will be attached to the substantial amendment upon submission to HUD.

G. Consolidated Annual Performance Evaluation Report availability for review and comment

An annual performance report on Consolidated Plan and or Annual Action Plan activities must be submitted to HUD no later than ninety (90) days after the beginning of the program year, or by December 31 of each year. A draft of the annual performance report will be made available for public review and comment at least fifteen days before submission to HUD. The County will consider any comments or views of citizens submitted in writing or orally, and attach a summary of these comments or views to the annual performance report that is submitted to HUD.

H. Making the Citizen Participation Plan Public

The Citizen Participation Plan will be made available to the public in printed form upon request. A condensed description of this plan will be disseminated with notification that complete copies will be available to interested citizens upon request from the Commissioners and Planning and Community Development.