



City of Tulare

Program Years 2020-2024 Citizen Participation Plan



City of Tulare
Community & Economic Development Department
411 East Kern Avenue
Tulare, CA 93274



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Introduction

The U.S. Department of Housing and Urban Development (HUD) requires entitlement communities under the federal Housing and Community Development Act of 1974, as amended, to develop a citizen participation plan.

In 1994, the U.S. Department of Housing and Urban Development issued new rules consolidating the planning, application, reporting, and citizen participation processes of four formula grant programs: Community Development Block Grants (CDBG); HOME Investment Partnerships (HOME); Emergency Solutions Grants (ESG); and, Housing Opportunities for Persons with AIDS (HOPWA). The new planning process was intended to more comprehensively fulfill three basic goals: 1) to provide decent housing; 2) to provide a suitable living environment; and, 3) to expand economic opportunities.

This Citizen Participation Plan describes how the City of Tulare (hereafter “the City”) will involve residents in the planning, implementation and assessment of how CDBG and HOME funds will be used. The City of Tulare is a CDBG Entitlement Community. Presently, the City receives CDBG directly from HUD and HOME funds from the State Department of Housing and Community Development (HCD). ESG and other resources are potentially available through the County of Tulare and/or the State of California.

The Consolidated Plan is actually a three-part planning process required by HUD. It comprises developing a five-year strategic plan, preparing annual action plans and submitting annual performance reports. These three parts are intended to furnish the framework whereby the City can identify its housing, homeless, community, and economic development needs; identify resources that will be tapped and actions to be taken to address the needs; as well as look back and evaluate the City's progress toward achieving its strategic goals. Completing these documents on time and in a manner that is acceptable to HUD ensures program funding.

The precursor to the Consolidated Plan is the Citizen Participation Plan. The objectives of the CPP are to ensure that the citizens of City of Tulare, particularly persons of low and moderate income, persons living in slum and blight areas, units of local government, housing agencies and other interested parties, are provided with the opportunity to participate in the planning and preparation of the Consolidated Plan, including amendments to the Consolidated Plan and the Consolidated Annual Performance and Evaluation Report (CAPER). In doing so, the CPP sets forth general policies and procedures for implementing and carrying out the consolidated planning process, such as how the Consolidated Plan will be developed, dates and milestones along which the process will proceed, and methods for citizens to offer the City assistance and guidance in the formulation of the Consolidated Plan. Furthermore, the provisions of the CPP fulfill statutory and regulatory requirements for citizen participation as specified in HUD's rules for the Consolidated Plan, the CDBG Program and the HOME Program, the ESG Program, and the HOPWA Program. In the City of Tulare, the Community Development Department is the lead agency for developing, implementing, monitoring, and reporting on the achievements of the Consolidated Plan.



The Consolidated Plan identifies the housing and community development needs of the City, and sets priorities for spending the HUD grant funds. Public comment is a vital component of identifying the City's housing and community development needs and spending priorities. The Consolidated Plan offers the opportunity for strategic Citywide planning to occur alongside citizen participation.

The Consolidated Plan planning and approval process can be broken down into the following stages:

- Needs assessment
- Plan development
- Approval
- Amendments (if necessary)
- Performance review

The City of Tulare will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all HUD programs undertaken by the City. City staff will make every effort to involve citizens in all phases of the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. Identification and assessment of housing and community development needs, and determination of CDBG Consolidated Plan and Annual Action Plan;
- b. Amendment to approved CDBG Consolidated Plan and Annual Action Plan;
- c. Assessing Fair Housing Choice (Assessment of Fair Housing or AFH);
- d. Assessment of CDBG Consolidated Assessment of Performance and Evaluation Report (CAPER).

All phases of the community development process will be conducted by City staff in an open manner. Citizens of Tulare are encouraged to participate at all levels and will be given access to program information during each phase of any HUD program as outlined herein.

Comment on the Citizen Participation Plan and Amendments

The City of Tulare Community Development Department will receive comments on the proposed Citizen Participation Plan during a 30-day public comment period. During the 30-day public comment period at least one public hearing will take place to give citizens an opportunity to comment on the proposed CPP. A public notice will be posted in one or more newspapers of general circulation at least 2 weeks prior to the public hearing.

Individuals who require accommodations, including appropriate auxiliary aids, translated documents or interpreters to participate in a public hearing, or who would like to request a copy of the proposed CPP, or another document, in an alternate format, should contact the Community Development Department at (559)684-4256.



Per direction from HUD, provided to CDBG grant recipients on March 16, 2020, during their “National Briefing on Community Development Block Grant Support for Infectious Disease Response” – the City of Tulare will consider undertaking “virtual” public hearings (alone, or in concert with an in-person hearing) allowing questions in real time, with answers coming directly from the elected representatives to all “attendees” during times of emergencies, such as the coronavirus or COVID-19 pandemic. The City of Tulare will select a virtual hearing method or platform that will provide for accessibility for persons with disabilities and LEP to participate. City of Tulare staff will document these efforts and provide descriptions to HUD in the subject documents. The Citizen Participation Plan was amended to include these new outreach procedures, recommended by HUD.

Encouragement of Citizen Participation

The Consolidated Plan is designed to enumerate the City’s overall strategy for coordinating federal and other housing and community development resources to provide decent housing, establish and maintain a suitable living environment, and expand economic opportunities, particularly for low- and moderate-income persons.

Interested groups and individuals are encouraged to provide input into all aspects of City’s consolidated planning activities, from assessing needs to setting priorities through performance evaluation. By following the CPP, there will be a number of opportunities for citizens to contribute information, ideas and opinions about ways to improve our neighborhoods, promote housing affordability and enhance the delivery of public services to residents.

Affirmative efforts to encourage and solicit participation from the City’s residents and populations least likely to have awareness of HUD-funded programs and processes including low-income residents, individuals with disabilities, racial and ethnic minorities, and female-headed households shall include:

1. Advertising the details of the CPP (e.g. documents for public review, meetings, opportunities to provide feedback and comment) in the City’s daily newspapers, and other daily or non-daily publications - The Tulare Advance Register and/or Visalia Times Delta;
2. Sending notice of the CPP (e.g. documents for public review, meetings, opportunities to provide feedback and comment) with advocacy groups, nonprofit and for profit organizations, and City and community agencies that provide services to or advocate for low-income individuals, individuals with disabilities, racial and ethnic minorities and female-headed households; including Kings Tulare Homeless Alliance, Family Services, Kings View PATH Program, United Way of Tulare County, and Tulare Lighthouse Rescue Mission; and
3. Posting Notifications at City Hall, Tulare Public Library, Tulare Senior Center, Claude Meitzenheimer Community Center, Tulare Chamber of Commerce and City website.



Limited English Proficient Persons and the Language Access Plan

The City of Tulare will make every effort to ensure that Limited English Proficient (LEP) persons have meaningful access to federally funded programs and services as is required under Title VI of the Civil Rights Act of 1964.

The City has a diverse population where many languages are spoken. A substantial number of persons that speak these languages do not speak English or do not speak English very well, and are considered Limited English Proficient.

Regardless of which language a person speaks or their ability to speak English, the City will make every effort to ensure that they have meaningful access to federal funding services through either oral interpretation or written translations of vital documents.

Since the City has a number of LEP persons, all citywide public notices and public hearings must ensure that language services are provided or available.

The City is confident that no person will be denied federally funded services based on their ability to speak English.

The City is committed to keeping all interested groups and individuals informed of each phase of the consolidated planning process and of activities being proposed or undertaken under HUD formula grant programs. Opportunities to comment on or participate in planning community development and affordable housing activities and projects will be publicized and disseminated throughout the City.

Public Hearings

The City will hold at least two public hearings during the program year to obtain community views and to respond to proposals and questions.

- The City will hold one public hearing during the development of the Consolidated Plan before the proposed Consolidated Plan is published for comment.
- The City will hold at least one public hearing to accept comments on the Consolidated Plan, Annual Action Plan, CAPER, Amendments, CPP, and AFH prior to final adoption.

A summary of the written and oral public comments from individuals or groups received in writing or at the public hearings and/or community meetings will be considered for inclusion in the Consolidated Plan, Annual Action Plan, Amendments, CAPER, CPP, and AFH.

All venues used for interviews, focus groups, grant applications, and public meetings are fully accessible to people with disabilities that impact mobility. Should a venue not be fully accessible, the individual(s) should contact the Community Development Department at (559)684-4256.



Per direction from HUD, provided to CDBG grant recipients on March 16, 2020, during their “National Briefing on Community Development Block Grant Support for Infectious Disease Response” – the City of Tulare will consider undertaking “virtual” public hearings (alone, or in concert with an in-person hearing) allowing questions in real time, with answers coming directly from the elected representatives to all “attendees” during times of emergencies, such as the coronavirus or COVID-19 pandemic. The City of Tulare will select a virtual hearing method or platform that will provide for accessibility for persons with disabilities and LEP to participate. City of Tulare staff will document these efforts and provide descriptions to HUD in the subject documents. The Citizen Participation Plan was amended to include these new outreach procedures, recommended by HUD.

Publication of Consolidated Plan Document and Annual Action Plan

The City will publish the Draft Consolidated Plan and Annual Action Plan, as well as the AFH for public review in a manner that affords citizens, public agencies and other interested parties a reasonable opportunity to examine its contents and submit comments. The Draft Consolidated Plan and Annual Action Plan will be a complete document and shall include:

- The amount of assistance the City expects to receive, and
- The range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

A notice for the release of the Draft Consolidated Plan, Annual Action Plan, and the AFH will be published in a newspaper of general circulation – the Tulare Advance Register within the City of Tulare at the beginning of the public comment period. The release will include a list of locations where copies of the entire proposed Consolidated Plan, Annual Action Plan, and AFH may be obtained or examined.

Citizens and groups may obtain a reasonable number of free copies of the proposed Consolidated Plan, Annual Action Plan, and AFH by contacting the Department of Community Development at (559) 684-4256.

Public Comments on the Draft Consolidated Plan and Annual Action Plans

One public meeting will be held to gather input from citizens regarding proposed changes. Written comments and citizen participation by low- and moderate-income individuals, minorities, non-English speaking persons and persons with disabilities will be encouraged through the affirmative efforts outlined in the Encouragement of Citizen Participation section on page 5.

Notices of the meetings will be published in the daily newspaper no less than 15 days prior to the meeting and a press release will be forwarded to all the newspapers. The City’s Community Development Department will also attempt to email a copy of the notice or press release to interested parties.



The proposed Consolidated Plan, Annual Action Plan, and AFH will be made available to interested parties for a comment period of no less than 30 days.

Along with the notification that the proposed Consolidated Plan is available for public comment, a summary of the proposed plan's contents and purpose will be published. The notification will be published on or before the day the proposed Consolidated Plan comment period begins. Locations where copies of the entire proposed plan may be obtained will also be stated in the notice.

The proposed Consolidated Plan, Annual Action Plan, and AFH will be available on the City's website at www.tulare.ca.gov for the full public comment period. Copies of the proposed plan will also be available from the City's Community Development Department during the public comment period.

Public Outreach

An informed citizenry is critical to effective and responsive housing and community development programs. Efforts to educate residents and empower their participation are an ongoing element of the consolidated planning process.

Public education and outreach will be facilitated through the use of public advertisements that describe the consolidated planning process, opportunities for citizen participation and available funding through the CDBG program.

Technical Assistance

Groups or individuals interested in obtaining technical assistance to develop project proposals or applying for funding assistance through HUD formula grant programs covered by the Consolidated Plan or Annual Action Plan may contact the City of Tulare Community Development Department staff. Such assistance may be of particular use to community development organizations, nonprofit service providers, and for-profit and nonprofit housing development groups that serve or represent persons of low and moderate income.

Amendments Criteria

Substantial Amendments

The City will amend its approved Consolidated Plan or Annual Action Plan whenever a decision is made to propose a substantial change in allocation priorities. A substantial amendment to the Consolidated Plan or Annual Action Plan will include:

- The addition of an activity not initially identified in the Consolidated Plan or Action Plan.
- A change in excess of 25% of an activity's original approved budget.
- A change in the purpose, scope, location or beneficiaries of an activity.



Minor or Administrative Amendments

Minor amendments are those that are not considered substantial in nature and pertain chiefly to minor administrative modifications of the programs. Minor amendments can be approved by the City Manager. Minor amendments will be made administratively and will be incorporated into the City's CAPER. A minor amendment to the Consolidated Plan or Annual Action Plan include:

- A change less than 25% of an activity's original approved budget.
- Necessary for completing activities identified in the Consolidated Plan or Annual Action Plan.
- Necessary due to significant changes in the funding levels among HUD's original estimates of funding amounts and HUD's final allocation.
- Necessary due to changes in funding levels among the City's estimated annual program income and actual annual program income received.

Citizen Participation in the Event of a Substantial Amendment

In the event of a substantial amendment to the Consolidated Plan or Annual Action Plan, the City, depending on the nature of the amendment, will conduct at least one additional public hearing, which could be "virtual", per HUD recommendations. This hearing will follow a comment period of no less than 30 days, where the proposed substantially amended Consolidated Plan will be made available to interested parties. Citizens will be informed of the public hearing through daily newspaper notification and the City's website prior to the hearing.

Citizens will be notified of the substantially amended Consolidated Plan's or Annual Action Plan availability through newspaper notification prior to the 30-day comment period. The substantially amended Consolidated Plan or Annual Action Plan will be available on the Community Development Department's Housing & CDBG Services section on the City's website at www.tulare.ca.gov for the full public comment period.

Consideration of Public Comments on the Substantially Amended Plan

In the event of substantial amendments to the Consolidated Plan or Annual Action Plan, the City will openly consider any comments on the substantially amended Consolidated Plan or Annual Action Plan from individuals or groups. Comments must be received in writing or at public hearings. A summary of the written and public hearing comments on the substantial amendments will be included in the amended Consolidated Plan or Annual Action Plan. The final Consolidated Plan or Annual Action Plan will also include a summary of all comments not accepted and their reasons for dismissal.



Changes in Federal Funding Level

Any changes in federal funding level after the Consolidated Plan or Annual Action Plan's draft comment period has expired and the resulting effect on the distribution of funds will not be considered an amendment or a substantial amendment.

Consolidated Annual Performance and Evaluation Reports

Performance reports on the CDBG program, known as the Consolidated Annual Performance and Evaluation Report (CAPER), covered by the Consolidated Plan or Annual Action Plan are to be prepared by the City of Tulare Community Development Department within 90 days following each program year. Draft performance reports will be made available upon written request. The draft performance report will be available for comment for no less than 15 days, and any public comments received in writing will be reported in an addendum to the final performance report.

Access to Records

To the extent allowed by law, interested citizens and organizations shall be afforded reasonable and timely access to records covering the preparation of the Consolidated Plan and/or Annual Action Plan, project evaluation and selection, HUD's comments on the Plan and annual performance reports. In addition, materials on formula grant programs covered by the Consolidated Plan and/or Annual Action Plan, including activities undertaken in the previous five years, will be made available on the City's Community Development Department website at www.tulare.ca.gov and will be available during normal business hours at City of Tulare Community Development Department at 411 E. Kern Avenue, Tulare, CA 93274 to any member of the public who requests information.

Complaints and Grievances

Citizens, administering agencies, and other interested parties may submit complaints and grievances regarding the programs the City of Tulare Community Development Department. Complaints should be in writing, specific in their subject matter, and include facts to support allegations. The following are considered as constituting complaints to which a response is due:

- The administering agency has purportedly violated a provision of the Citizen Participation Plan;
- The administering agency has purportedly violated a provision of federal CDBG program regulations; and
- The administering agency, or any of its contractors, has purportedly engaged in questionable practices resulting in waste, fraud or mismanagement of any program funds.



Residents may also present complaints and grievances orally or in writing at the community meetings and/or public hearing. All public comments, including complaints and grievances, made either orally or in writing within the 30-day public comment period, will be included in the final Consolidated Plan and/or Annual Action Plan. Such complaints or grievances about CDBG may be directed to the City of Tulare Community Development Department.

Timely Response to Complaints or Grievances

Upon receipt of a written complaint, the designated representative at the City shall respond to the complainant within 15 calendar days and maintain a copy of all related correspondence, which will be subject to review.

Within 15 calendar days of receiving the complaint, the designated representative shall discuss the matter with the department manager and respond to the complainant in writing. A copy of the City's response will be transmitted concurrently to the complainant and to the Community Development Director. If, due to unusual circumstances, the designated representative finds that he/she is unable to meet the prescribed time limit, the limit may be extended by written notice to the complainant. The designated representative's notice must include the reason for the extension and the date on which a response is expected to be generated, which may be based on the nature and complexity of the complaint.

Public review materials and performance reports will include data, as appropriate under confidentiality regulations, on any written complaints received and how each was resolved.

Activities Exempt from Substantial Amendment Citizen Participation Requirements

It may be necessary to amend the Consolidated Plan and/or Annual Action Plan in the event of an emergency such as a natural disaster. These amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet community development needs that have a particular urgency. Therefore, the City may utilize its CDBG funds to meet an urgent need without the normal public comment period, which is otherwise required for substantial amendments. To comply with the national objective of meeting community development needs having a particular urgency, an activity will alleviate existing conditions that the City of Tulare certifies:

- Pose a serious and immediate threat to the health and welfare of the community;
- Are of recent origin or recently became urgent;
- Are unable to be financed by the City on its own; or
- Other funding resources are not available to carry out the activity.



A condition will generally be considered to be of recent origin if it developed or became critical within 18 months preceding the Community Development Department's certification.

Urgent Need

If Urgent Need funds are received due to a natural disaster or pandemic, the public comment period can be reduced to a 5-day publication and public comment period. During an Urgent Need public comment period a community meeting or workshop is not required, although a public hearing will still take place to accept any public comments. A public notice will be posted in a local newspaper of circulation at least 5 days prior to the public hearing date to provide reasonable notice and opportunity to comment. The Urgent Need public comment period can be reduced to 5-days to assist in expediting funds as quickly as possible.

Plans to Minimize Displacement of Persons and Assist Any Persons Displaced

If applicable, the City of Tulare, in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the 1988 Common Rule, and the 1989 Barney Frank Act, will provide relocation assistance, as described in 24 CFR 570.606(b)(2), to each low- and moderate-income household displaced by the demolition of housing or by the conversion of a low- and moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the City will include, but not be limited to, the following steps to minimize the displacement of persons from their homes:

- Avoid, as much as possible, CDBG-funded projects which permanently displace persons from their homes.
- Fully advise any residents who may be displaced of their rights and options for relocation benefits as required by federal regulations.
- Assist displaced residents in filling out any required forms for assistance or to appeal City decisions regarding displacement or the level of relocation benefits.

A copy of the City's Anti-Displacement and Relocation Plan is also available to interested residents upon request.



Citizen Participation Plan Summary

DOCUMENT	PUBLIC PARTICIPATION	REQUIRED TIME FOR PUBLIC REVIEW	REQUIRED APPROVAL	DEADLINE
Citizen Participation Plan (CPP)	Public Hearing 15-Day Notice	30-Day Public Review	City Council	N/A
Consolidated Plan, Annual Action Plan, and/or Assessment of Fair Housing (AFH)	Public Hearing 15-Day Notice	30-Day Public Review	City Council	Submit to HUD 45-days prior to start of new program year
Substantial Amendments	Public Hearing 15-Day Notice	30-Day Public Review	City Council	Submit to HUD when complete
Minor Amendments	No Public Hearing	30-Day Public Review	City Manager	Submit to HUD when complete
Urgent Need	Public Hearing 5-Day Notice	5-Day Public Review	City Council	N/A
Consolidated Annual Performance and Evaluation Report (CAPER)	Public Hearing 15-Day Notice	15-Day Public Review	City Council	Submit to HUD within 90-days of end of program year

Availability of the Citizen Participation Plan

Citizens and groups may obtain a reasonable number of free copies of the proposed Citizen Participation Plan by contacting the City’s Community Development Department at 559-684-4256.



Glossary

Annual Action Plan: An annual plan to provide concise summary of activities that will be used each year to address the CDBG priority needs and specific goals.

Area Median Income (AMI): is a metric calculated by the U.S. Department of Housing and Urban Development (HUD) to determine the income eligibility requirements of federal housing programs.

Assessing Fair Housing (AFH): An analysis of fair housing issues and contributing factors in a jurisdiction that results in goals that the program participant sets to achieve over the next planning cycle.

Citizen Participation Plan (CPP): A plan to involve the community in the planning, implementation and assessment of how CDBG funds will be used.

Community Development Block Grant (CDBG): A federal grant to assist in the development of viable urban communities by providing decent housing, a suitable living environment and expanding economic development opportunities for principally low-moderate-income persons.

Consolidated Annual Performance Evaluation Report (CAPER): An annual performance report on CDBG outcomes achieved during a program year.

Consolidated Plan (Con Plan): A five-year strategic plan designed to assist jurisdictions assess their affordable housing and community development needs and market conditions, and to make data-driven, place-based investment decisions.

Entitlement Community: A city in a metropolitan area with a population of at least 50,000 or qualified urban county with a population of at least 200,000 that receives grant funding from HUD.

HOME Investment Partnership (HOME): A grant to provide decent affordable housing to low- and moderate-income households.

Low-and Moderate-Income (LMI) Households: Households earning less than 80% of the area median family income. The following LMI categories are:

- Very Low Income: Households with income at or below 30% of the AMI.
- Low Income: Households with income between 31% and 50% of the AMI.
- Moderate Income: Households with income between 51% and 80% of the AMI.

Program Year: An annual period from July 1st through June 30th for which the grant program occurs.

Public Hearing: A formal public meeting designed to provide the public the opportunity to make a public testimony and comment. Public hearings are to be advertised in local newspapers and made accessible to non-English speakers and individuals with disabilities and may be “virtual.”



City of Tulare

U.S. Department of Housing and Urban Development (HUD): A U.S. government agency that supports community development and homeownership.