

City of Lawrence

Citizen Participation Plan

1. INTRODUCTION

The City of Lawrence (City) is a federal entitlement jurisdiction that receives federal grant funding from the U.S. Department of Housing and Urban Development (HUD) for the following programs: Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME).

As a requirement for receiving the above named entitlement grants, the City is required to prepare the following documents:

- (a) [Consolidated Plan](#): A five year Consolidated Plan to identify local community development needs and set forth a funding strategy to address those needs.
- (b) [Annual Action Plan](#): An Annual Action Plan that summarizes the activities that will be undertaken in the upcoming Program Year (PY) to address the needs outlined in the Consolidated Plan.
- (c) [Consolidated Annual Performance Evaluation Report \(CAPER\)](#): A Performance Report that evaluates the progress during the previous PY in carrying out the activities outlined in the Annual Action Plan.
- (d) [Assessment of Fair Housing \(AFH\)](#): An assessment to identify local and regional fair housing issues and set goals for improving fair housing choice and access to opportunity. Assessment of Fair Housing uses the HUD provided Assessment of Fair Housing tool to guide grantees through the identification process of fair housing issues and related contributing factors.

Under HUD's Code of Federal Regulations for citizen participation (Title 24 CFR 91.105), the City is required to adopt a Citizen Participation Plan that sets forth the City's policies and procedures for citizen participation in the planning, execution, and evaluation of the Consolidated Plan, Annual Action Plan, CAPER, and Assessment of Fair Housing. The guidelines established in this Citizen Participation Plan apply to the development and adoption of all of the above-listed documents (hereafter referred to as "the Plans"). Each Plan individually describes the agencies, groups, organizations, and others who participated in the citizen participation and consultation process.

2. OBJECTIVE

The Citizen Participation Plan establishes standards to promote citizen participation in the development of the Plans and related documents. The Citizen Participation Plan is designed to especially encourage participation by low- and moderate-income persons. As an entitlement jurisdiction for the respective HUD programs, the City is responsible for the implementation and use of the Citizen Participation Plan. The requirements for citizen participation do not restrict the responsibility or authority of the City for the development and execution of its Plans.

3. CITIZEN PARTICIPATION (24 CFR 91.105)

The City provides for and encourages citizens to participate in the development of all the Plans covered by the Citizen Participation Plan. The City further encourages participation by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted area and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the City. The City will take appropriate actions to encourage the participation of all citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

The City encourages the participation of local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing the Plans. The City encourages the participation of public and private organizations, including broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies in the process of developing the Plans.

The City encourages, in conjunction with consultation with public housing agencies (PHA), the participation of residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) in the process of developing and implementing the Plans, along with other low-income residents of targeted revitalization areas in which the developments are located. The City will make an effort to provide information to the PHA about the AFH, AFH strategy, and consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

The City will explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of focus groups and the Internet.

The City will provide citizens with a reasonable opportunity to comment on the Plans and on substantial amendments to the Plans, and will make the citizen participation plan public. The citizen participation plan will be in a format accessible to persons with disabilities, upon request.

The City will take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking residents of the community. The City of Lawrence Community Development Division (CDD) Limited English Proficiency (LEP) Plan is established pursuant to and in accordance with Title VI of the Civil Right Act of 1964, Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency," and the Department of Housing and Urban Development's (HUD) Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against

National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, and effective February 21, 2007. The current CDD LEP Plan is available for public review online at: https://lawrenceks.org/pds/reports_plans/.

4. CONSULTATION (24 CFR 91.100)

In the development of the Plans, the City will consult with other public and private agencies and organizations that provide assisted housing, health services, and social services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons), neighborhood-based groups, community-based and regionally-based organizations that represent protected class members, organizations that enforce fair housing laws, broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies.

When preparing the portions of the consolidated plan describing the City's homeless strategy and the resources available to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) and persons at risk of homelessness, the City will consult with:

- (a) The Continuum of Care that serves the City's geographic area;
- (b) Public and private agencies that address housing, health, social service, victim services, employment, or education needs of low-income individuals and families; homeless individuals and families, including homeless veterans; youth; and/or other persons with special needs;
- (c) Publicly funded institutions and systems of care that may discharge persons into homelessness (such as health-care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and
- (d) Business and civic leaders.

When preparing the portion of its consolidated plan concerning lead-based paint hazards, the City will consult with state or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

The City also will consult with adjacent units of general local government and local and regional government agencies, including local government agencies with metropolitan-wide planning and transportation responsibilities, particularly for problems and solutions that go beyond a single jurisdiction.

The City will consult with the Lawrence-Douglas County Housing Authority regarding consideration of public housing needs, planned programs and activities, the AFH,

strategies for affirmatively furthering fair housing, and proposed actions to affirmatively further fair housing in the consolidated plan.

A variety of mechanisms may be utilized to solicit input from the persons/service providers/agencies listed above. These include posting and/or mailing notices of public meetings and hearings, telephone or personal interviews, mail surveys, social media, internet-based feedback and consultation workshops.

5. AVAILABILITY OF DRAFT AND APPROVED DOCUMENTS

The draft versions of Consolidated Plans and Annual Action Plans will present to residents, public agencies, and other interested parties, information that includes the estimated amount the City expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income.

The City will publish the proposed Plans in a manner that affords its residents, public agencies, and other interested parties a reasonable opportunity to examine the contents and to submit comments. The requirement for publishing will be met by publishing a summary of each document in one or more newspapers of general circulation. The summary will describe the content and purpose of the Plan, and will include a list of the locations where copies of the entire proposed document may be examined.

The draft and final versions of Consolidated Plans, Annual Action Plans, CAPERs, Assessments of Fair Housing, and Citizen Participation Plans, and all related amendments, will be made available for public review online at the City of Lawrence website: https://lawrenceks.org/pds/reports_plans/.

Hard copies of the documents will be available at the City of Lawrence Planning and Development Services Department, 1 Riverfront Plaza, Suite 320 Lawrence, KS 66044. The City will provide a reasonable number of free copies of the Plans to residents and groups that request it.

The City will provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Plans, and use of assistance under the programs covered by this plan during the preceding five years.

6. AMENDMENTS

Substantial Amendments will be necessary whenever any of the criteria under each Plan listed below is proposed. Substantial amendments to any of the Plans will be subject to Citizen Participation Plan requirements. The City will consider all substantial amendments at a public meeting. Notice of all public meetings and information regarding the proposed substantial amendment will be made by publishing a notice prior to the meeting, which will begin the 30-day public comment period. The City will consider any comments or views of residents of the community received in writing, or orally at public hearings, if any, in preparing any substantial amendment. The recommendation regarding a substantial amendment will be forwarded to the City Commission for discussion and

consideration of approval at a regularly scheduled meeting. If approved, the substantial amendment shall be attached to the plan, and submitted along with all public comments or views, to the local HUD office. Implementation of the amendment shall not occur before the expiration of the public comment period.

- (a) Consolidated Plan and Annual Action Plan Amendment Considerations: A Substantial Amendment will be made to the Consolidated Plan or Annual Action Plan whenever one of the following decisions is made:
- (i) To change the allocation priorities or a change in the method of distribution of funds.
 - (ii) To carry out an activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the plan.
 - (iii) To change the purpose of a previously approved activity. The following categories of purpose are established:
 - (A) Acquisition and/or Disposition of Real Property;
 - (B) Public Facilities and Improvements;
 - (C) Clearance;
 - (D) Public Services;
 - (E) Rehabilitation;
 - (F) Economic Development;
 - (G) Homeownership Assistance;
 - (H) Planning; and
 - (I) Program Administration
 - (iv) To change the scope of a previously approved activity. A change in scope will occur when the cost of the activity is reduced or increased by 50% or more, or when the quantity of the activity is reduced or increased by 50% or more.
 - (v) To change the location of a previously approved activity, when the change of location will cause the targeted group of beneficiaries to lose the benefit.
 - (vi) To change the beneficiaries of a previously approved activity, when the targeted groups of beneficiaries will no longer benefit, or when the percentage of low- and moderate-income beneficiaries will be less than the minimum required by federal law or regulation.

All other changes may be handled administratively and are not subject to the public hearing requirements of this Citizen Participation Plan. The following changes are considered administrative:

- (i) Proportional adjustments to previously approved activities to accommodate actual HUD allocation amounts (provided new subrecipients are not awarded funds).
 - (ii) Reallocation of funds, not exceeding an amount of \$100,000, between activities approved in the current or prior Annual Action Plan.
 - (iii) Reallocation of fund balance, in any amount, from a completed activity to another approved activity.
 - (iv) If the carry forward of unspent grant funds would inhibit the City's ability to meet the CDBG timeliness spending test, allocations of CDBG funding in total amounts less than \$250,000 in a single Program Year may be directed toward eligible City Projects/Programs within the same category of the unspent allocation. The Planning and Development Services Director may propose one-time CDBG-eligible City infrastructure projects to the City Manager for such previously allocated but unspent CDBG funding. Depending on project size and scope, the City Manager may bring such one-time projects directly to the City Commission for authorization as deemed necessary and appropriate for the timely expenditure of CDBG funds.
- (b) Citizen Participation Plan Amendment Considerations: A substantial amendment to the Citizen Participation Plan is defined as an addition or deletion of the plan's priorities or goals. All other changes may be handled administratively and are not subject to the public hearing requirements of this Citizen Participation Plan.
- (c) Assessment of Fair Housing Amendment Considerations: An AFH previously accepted by HUD must be revised and submitted to HUD for review under the following circumstances:
- (i) A material change occurs. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. Examples include Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, in the program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; or

- (ii) Upon HUD's written notification specifying a material change that requires the revision.

The City shall provide residents with reasonable notice of a revision to the AFH and provide not less than 30 calendar days to receive comments from residents. Notice of a revision to the AFH will be made public by publishing a notice prior to the revised AFH being submitted to HUD for review, which will begin the 30 day written comment period. The City shall consider the comments or views of residents, whether received in writing or orally, in regard to a revision to the AFH. A summary of any comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the revision to the AFH.

7. PUBLIC HEARINGS, NOTIFICATION AND ACCESS

The City will follow the following procedure in conducting public hearings and providing notification and access to all Consolidated Plan and Annual Action Plan documents discussed in this Citizen Participation Plan:

- (a) Public Hearing Process: The City will conduct at least two public hearings per year to obtain citizens' views and comments, and to respond to proposals and questions. Such meetings will be conducted at a minimum of two different times of the program year and together will cover the following topics:
 - (i) Housing and Community Development Needs;
 - (ii) Development of Proposed Activities;
 - (iii) Proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH; and
 - (iv) Review of Program Performance.

To obtain the views of residents of the community on housing and community development needs, including priority nonhousing community development needs and affirmatively furthering fair housing, the City will conduct at least one of these hearings before the Consolidated Plan is published for comment.

The City, at its discretion, may conduct additional outreach, public meetings, or public hearings as necessary to foster citizen access and engagement.

- (b) Public Hearing Notification: Notification of public hearings will be posted/printed at least two weeks prior to the meeting date. Noticing may include printing a public notice in newspaper(s) of general circulation in the City, website posting, email, and/or press releases.

Notices will include sufficient information about the subject of the hearing, including summaries when possible and appropriate, to permit informed comment.

- (c) Public Review/Comment Period: Public notices will be printed/posted prior to the commencement of any public review/comment period alerting citizens of the

documents for review. The minimum public review/comment period for each Plan is listed below:

Document	Public Comment Period
Consolidated Plan	30 days
Annual Action Plan	30 days
Substantial Amendments	30 days
CAPER	15 days
AFH	30 days
Citizen Participation Plan	30 days

Copies of all documents and notices will be available for public review at the City of Lawrence Planning and Development Services Department, 1 Riverfront Plaza, Suite 320 Lawrence, KS 66044, and on the City of Lawrence website: https://lawrenceks.org/pds/reports_plans/.

The City shall consider any comments or views of residents of the community received in writing or orally at all public hearings and/or meetings. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the Plans.

- (d) Access to Meetings: Unless otherwise noted, public hearings requiring City Commission action will be conducted at regularly scheduled City Commission meetings located at 6 E 6th Street, Lawrence, KS 66044. For public hearings and/or meetings not requiring City Commission action, the City will make every effort to conduct such meetings at a location accessible and convenient to potential and actual beneficiaries.

The City will provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973, the regulations at 24 CFR part 8, the Americans with Disabilities Act, and the regulations at 28 CFR parts 35 and 36, as applicable.

If an attendee or participant at a public hearing and/or meeting needs special assistance beyond what is normally provided, the City will attempt to accommodate such persons in every reasonable manner.

- (e) Technical Assistance: The City will provide for technical assistance to groups representative of persons of low- and moderate-income that request such assistance in commenting on the Plans and 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. The assistance need not include the provision of funds to the groups.
- (f) Complaints: A complaint regarding any of the Plans and related documents covered by this Citizen Participation Plan must be submitted in writing to the

Planning and Development Services Director, 1 Riverfront Plaza, Suite 320 Lawrence, KS 66044.

Community Development Division staff will assist the complainant with the preparation of written complaints and/or advise the complainant of other sources of technical assistance. All complaints shall be submitted on a Complaint Form provided by the Community Development Division and shall be signed by the complainant.

Pursuant to 24 CFR 91.105(j), the City will provide a timely, substantive written response to every written resident complaint within 15 working days, where practicable.

- (g) Individuals with Limited English Proficiency: The City will take reasonable steps to provide language assistance to ensure meaningful access to public hearings where a significant number of non-English speaking residents can be reasonably expected to participate. If an individual or participant with Limited English Proficiency needs assistance beyond what is normally provided, the City will attempt to accommodate their request in every reasonable manner.

The City of Lawrence Community Development Division (CDD) Limited English Proficiency (LEP) Plan is established pursuant to and in accordance with Title VI of the Civil Right Act of 1964, Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency," and the Department of Housing and Urban Development's (HUD) Final Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, dated January 22, 2007, and effective February 21, 2007. The current CDD LEP Plan is available for public review online at: https://lawrenceks.org/pds/reports_plans/.

8. ANTIDISPLACEMENT AND RELOCATION PLAN

The City seeks to minimize, to the greatest extent feasible, the involuntary displacement, whether permanently or temporarily, of persons (families, individuals, businesses, nonprofit organizations, or farms) from projects funded with CDBG or HOME involving single or multi-family rehabilitation, acquisition, commercial rehabilitation, demolition, economic development, or capital improvement activities.

Projects that the City deems beneficial but that may cause displacement may be recommended and approved for funding only if the City demonstrates that such displacement is necessary and vital to the project and that they take efforts to reduce the number of persons displaced. Further, it must be clearly demonstrated that the goals and anticipated accomplishments of a project outweigh the adverse effects of displacement imposed on persons who must relocate.

This section describes the City's Residential Antidisplacement and Relocation Assistance Plan and how it will assist persons who will be temporarily relocated or permanently displaced due to the use of HUD funds. This plan takes effect whenever the City sponsors

projects using CDBG or HOME funds that involve property acquisition or the demolition or conversion of low- and moderate-income dwelling units.

- (a) Minimizing Displacement: The City will take reasonable steps to minimize displacement occurring as a result of its CDBG and HOME activities. This means that the City will:
 - (i) Consider if displacement will occur as part of funding decisions and project feasibility determinations;
 - (ii) Assure, whenever possible, that occupants of buildings to be rehabilitated are offered an opportunity to return;
 - (iii) Plan substantial rehabilitation projects in "stages" to minimize displacement; and
 - (iv) Meet all HUD notification requirements so that affected persons do not move because they have not been informed about project plans and their rights.
- (b) Relocation Assistance for Displaced Persons: Consistent with the goals and objectives of the CDBG and HOME programs, the City will take all reasonable steps necessary to minimize displacement of persons, even temporarily. If displacement occurs, the City will provide relocation assistance for lower income tenants who, in connection with an activity assisted under the CDBG and/or HOME Program(s), move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a lower-income dwelling unit in accordance with the requirements of 24 CFR 42.350. A displaced person who is not a lower-income tenant, will be provided relocation assistance in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR Part 24.
- (c) One-For-One Replacement of Lower-Income Dwelling Units: The City will replace all occupied and vacant occupiable lower-income dwelling units that are demolished or converted to a use other than as lower-income dwelling units in connection with a project assisted with funds provided under the CDBG and/or HOME Program(s).

Before entering into a contract committing the City to use HUD funds on a project that will directly result in demolition of lower-income dwelling units or the conversion of lower-income dwelling units to another use, the City will make public, by providing a notice that such information is available at the City of Lawrence Planning and Development Services Department, and submit to HUD, a One-for-One Replacement Plan that contains the following information in writing:

- (i) A description of proposed assisted activity;

- (ii) 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;
- (iii) A time schedule for the commencement and completion of demolition or conversion;
- (iv) The location on a map and 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 shall 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 shall be submitted and disclosed to the public as soon as it is available;
- (v) The source of funding and a time schedule for the provision of replacement dwelling units;
- (vi) The basis for concluding that each replacement dwelling unit will remain a lower-income dwelling unit for at least 10 years from date of initial occupancy; and
- (vii) Information demonstrating that any proposed replacement of dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units) is consistent with the needs assessment contained in its HUD-approved consolidated plan.

Under 24 CFR 42.375(d), the City may submit a request to HUD for a determination that the one-for-one replacement requirement does not apply, based on objective data, that there is an adequate supply of vacant lower-income dwelling units in standard condition available on a non-discriminatory basis within the area.

9. ASSESSMENT OF FAIR HOUSING

During the development of the Assessment of Fair Housing (AFH), the City of Lawrence will:

- (a) Encourage citizens to participate in the development of the AFH and any revisions of the AFH.
- (b) Encourage the participation of Continuums of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations, in the process of developing and implementing the AFH.
- (c) Encourage, in conjunction with public housing agency consultations, participation of residents of public and assisted housing developments, including any resident advisory boards, resident councils, and resident management corporations, in the process of developing and implementing the AFH, along with other low-income residents of targeted revitalization areas in which the developments are located.

- (d) Take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking, limited English proficiency residents, and persons with disabilities.
- (e) Make available to the public, residents, public agencies, and other interested parties any HUD-provided data and the other supplemental information the City plans to incorporate into its AFH at the start of the public participation process (or as soon as feasible after).
- (f) Provide for at least one public hearing during the development of the AFH, and provide not less than 30 calendar days to receive comments from residents.
- (g) Provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and implementing regulations at 24 CFR part 8 as well as the Americans with Disabilities Act and implementing regulations at 28 CFR part 35 and 36, as applicable.
- (h) Publish the proposed AFH in a manner that affords its residents, units of general local government, public agencies, and other interested parties a reasonable opportunity to examine its content and to submit comments.
- (i) A summary which describes the content and purpose of the AFH, and includes a list of locations where copies of the entire propose document may be examined, will be made public by publishing a display ad in one or more newspapers of general circulation, and by making copies of the AFH available on the City of Lawrence website at https://lawrenceks.org/pds/reports_plans/.
- (j) Provide for technical assistance to groups representative of persons of low-and-moderate income that request such assistance to comment on the AFH.
- (k) Consider the comments or views of residents, whether received in writing or orally at the public hearing, in preparing the final AFH. A summary of any comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AFH.
- (l) Provide a reasonable number of free copies of the AFH to residents and groups that request a copy.
- (m) Provide a timely, substantive written response to every written resident complaint related to the AFH and any revisions of the AFH, within an established period of time (normally within 15 working days, where practicable).