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Farmington CDBG



Citizen Participation Plan

for the
2014-2018 Consolidated Plan

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2014-2018 Consolidated Plan

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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 as the first step in developing a new Consolidated Plan. This Citizen Participation Plan describes how the City of Farmington will involve residents in the planning, implementation and assessment of how Community Development Block Grant (CDBG) funds are used. It includes the City's policies and procedures for public participation in the Consolidated Plan process. The Consolidated Plan is a five-year plan required by HUD that assesses community needs and sets out a strategic plan with proposed projects for a five-year period. The main components of the Consolidated Plan include: housing affordability; housing needs; community needs; homeless needs; special needs; priority ranking; a strategic plan; and, an Analysis of Impediments to Fair Housing Choice. Also included in the process is the development of the first year Annual Action Plan.

This Citizen Participation Plan generally documents the processes and public involvement for the development of the Consolidated Plan, the Annual Action Plans and the Consolidated Annual Performance and Evaluation Reports (CAPER) over the next five years. All meetings and hearings are publicized in accordance with applicable HUD, state and local regulations.

Goal

The primary goal of the Citizen Participation Plan is to encourage citizen participation in the planning, development, and implementation of the Consolidated Plan and Annual Action Plans. Citizens who are low-and moderate income, who are living in low income targeted areas, senior citizens, the disabled, and minorities are especially encouraged to participate in these processes.

Standards

HUD specifies five basic standards to guide citizen participation:

- Involvement of affected persons and other concerned citizens.
- Openness and freedom of access.
- Adequate and timely information.
- Submission of views and proposals.
- Continuity of participation throughout all stages of the program.

Background

The City of Farmington became a Metropolitan Statistical Area in 2003 and developed its first Consolidated Plan in 2004. The City's Community Development Block Grant Division is currently operating in its second Consolidated Plan, adopted in 2009. This Citizen Participation Plan is in preparation for the 2014 Consolidated Plan.

Sec. 91.100 Consultation; local governments

1. The City of Farmington shall consult with other public and private agencies that provide assisted housing, health services, and social and fair housing services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, homeless persons) during preparation of the Consolidated Plan.
2. When preparing the portion of the Consolidated Plan describing the jurisdiction's homeless strategy, the City of Farmington shall consult with public and private agencies that provide assisted housing, health services, and social services to

determine what resources are available to address the needs of any persons that are chronically homeless.

3. When preparing the Consolidated Plan's section concerning lead-based paint hazards, the City of Farmington shall 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.
4. When preparing the description of priority non-housing community development needs, the City of Farmington shall notify and work with San Juan County and the adjacent Cities of Aztec and Bloomfield.
5. The City of Farmington will also consult with San Juan County and the adjacent Cities of Aztec and Bloomfield particularly for problems and solutions that span any single jurisdiction.

Sec. 91.105 Citizen participation plan; local governments

Encouragement of Citizen Participation

1. The Citizen Participation plan encourages citizens to participate in the development of the Consolidated Plan, any amendments to the Consolidated Plan, and the performance report.
2. The City of Farmington will encourage participation by low- and moderate-income persons, in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the Consolidated Plan. The City of Farmington will also take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities. The City of Farmington shall encourage the participation of local and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) in the process of developing and implementing the Consolidated Plan.

Availability to the Public

1. Draft Document Public Review and Comment

The Consolidated Plan, Annual Action Plans, and CAPERs all involve the publication of a draft document for public review. The public review and comment period will be a minimum of 30 days. Documents for public review and comment will be available on the City of Farmington Web Page, the Farmington Library at the Reference Desk, at the City of Farmington Community Development Department, and at the City Clerk's Office. Digital copies of the draft documents shall be made available to the public at no cost through the internet, and a limited number of printed versions shall be available upon request at hearings at no cost.

2. Public Hearing Notices for Final Approval or Adoption

All documents requiring final approval or adoption by the City Council require a public hearing to accept public comments. At the end of this hearing the City Council will approve or adopt the document by majority vote. These documents include the Citizen Participation Plan, the Consolidated Plan, the Annual Action Plan, and the CAPER. All public hearing notices will be published in the local newspaper for a minimum of 15 days prior to a public hearing.

3. Low-Income, Minority, Language and Special Needs Participation Encouragement

The issue of non-English languages spoken in the community was researched to look at bilingual needs. There are three predominate racial groups in Farmington: White; Hispanic; and, Native American. According to 2006-2008 ACS data collected for the 2010 Analysis of Impediments to Fair Housing Choice, in the City of Farmington these three groups make up 95.1 percent of the population. In San Juan County, they make up 97.2 percent of the population. English is readily translated into Spanish, but the predominate Native American language, Navajo, is historically a non-written language.

Table 1 in the appendix documents language usage in Farmington. This research provides the justification for printing required Public Notices in English and Spanish.

To specifically address the need and Federal requirement to encourage participation in the planning, development, and review of CDBG documents by low-income, minority and special needs groups, the following steps will be taken:

- a. Public hearing notices for draft and final documents will be published in English and Spanish in the local newspaper.
- b. All public hearing notices for draft and final documents will also be physically posted in public spaces in the Farmington Indian Center (to target Native Americans), the Sycamore Park Community Center (to target Hispanics and Low Income Families and Individuals), the San Juan Center for Independence (to target the Disabled), and the Farmington Senior Center (to target the elderly). The timing of these postings will match the timing of the public hearing notices placed in the newspaper.

4. Continuity of Participation

At all public meetings, workshops, outreach meetings, and consultations, attendees will be given the opportunity to provide their email address so that they may be notified of any future notices regarding the development of CDBG plans, documents, and Requests for Proposals.

5. Final Documents Public Availability

All adopted final documents including the Consolidated Plan, the Annual Action Plan, Amended Documents, and the CAPER shall be posted on the City of Farmington web page and hard copies will be available to the public at the Farmington Library in the Reference Section and at the City of Farmington Community Development Office.

Development of the Citizen Participation Plan

The City of Farmington must make the citizen participation plan a public process and will provide citizens with a reasonable opportunity to comment on the development of the citizen participation plan. This process will include the following steps:

- Public Hearing Notice to solicit public comments.
- Public Hearing with the City Council for public comments and approval.

Development of the Consolidated Plan

Consolidated Plans are developed every five years and are required by HUD for CDBG entitlement communities. A Consolidated Plan primarily assesses the needs in a community with statistical research, public and stakeholder surveys. A strategic plan with proposed projects and budgets is also developed to guide Annual Action Plan project selection over the five-year life of the Consolidated Plan

1. Consolidated Plan's Needs Assessment

The Consolidated Plan's Needs Assessment shall be a culmination of statistical research, surveys, and public input. In general, existing public, non-profit, and private institutional organizations and databases will be consulted in the needs assessment process. The following are targeted groups in the community and the agencies whose opinions will be sought out:

The Homeless and Housing Services

- Homeless service providers and clients
- Transitional care providers and clients
- Rental assistance providers and clients
- Home buyer assistance providers and clients

Special Needs Population - Not Homeless

- Substance abuse service providers and clients
- Disabled service providers and clients
- Elderly service providers and clients

Public Entities

- San Juan County
- San Juan County Housing Authority
- City of Aztec
- City of Bloomfield
- City of Farmington Department Heads
- City of Farmington Planning and Zoning Commission
- City of Farmington Community Relations Commission
- City of Farmington Parks and Recreation Commission
- City of Farmington Citizens Police Advisory Commission
- City of Farmington Metropolitan Redevelopment Agency

Private Business Community

- San Juan County Home Builders Association
- San Juan County Board of Realtors
- Four Corners Economic Development
- Rotary
- Civitans
- Chamber of Commerce

The General Public – Possible Methods of Outreach

- Surveys
- Low Income, Minority, and Special Needs Outreach Meetings
- Council District Neighborhood Meetings

The Needs Assessment process will involve the following steps:

- Needs Ranking Survey to targeted groups, agencies, and the public.
- Potential Projects proposed by targeted groups, agencies and the public.
- Statistical Research by City Staff.
- Review of existing recent needs assessments for the community.
- An announcement of the Consolidated Plan's Needs Assessment, being available for public review and comment.
- Public Hearing notice published.
- The public hearing to receive comments from on the Consolidated Plan's Needs Assessment

2. Strategic Plan

The Consolidated Plan's Strategic Plan will be developed with guidance from the Needs Assessment's priority ranking and potential project list. Estimated funding will be allocated to highly-ranked projects. Projects will be selected based upon their priority ranking and their estimated viability to be developed with community partners. Sample or draft Strategic Plan project selections will be done by CDBG staff and final selection will be made by the City Council at a work session.

The Strategic Plan process will involve the following steps:

- Public Hearing notice published.
- Work session(s) with the City Council to develop the Strategic Plan.

3. Analysis of Impediments to Fair Housing Choice (AI)

The AI investigates discrimination and disproportionate impacts on racial and special needs groups, identifies key impediments, and proposes actions that the City can do to eliminate impediments to fair housing.

The AI process will involve the following steps:

- Updating the 2010 AI through a Fair Housing Survey that would be developed and provided to the public with distribution to the same groups whose opinions are sought out in the Consolidated Plan's Needs Assessment.
- An announcement of the Draft AI being available for public review and comment.
- Public Hearing notice published.

4. Draft Consolidated Plan

The City of Farmington shall publish the Draft Consolidated Plan in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. Information provided to the public shall include the amount of assistance the jurisdiction 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 Draft Consolidated Plan process will involve the following steps:

- Public Notice of the Draft Consolidated Plan, being available for public review and comment.
- Public Hearing Notice for adoption of the Draft Consolidated Plan.
- Public Hearing to accept public comments and adopt the Consolidated Plan.
- All comments received during the Consolidated Plan review process will be incorporated into the Consolidated Plan.

5. Final Consolidated Plan

When the Draft Consolidated Plan is adopted by the City Council and the public comments are incorporated it will become the Final Consolidated Plan. This process will involve the following steps:

- All comments received during the Draft Consolidated Plan public review process will be incorporated into the Final Consolidated Plan.
- The Final Consolidated Plan will be made available to the public.

Consolidated Plan Amendments

HUD regulations provide specific guidance for amendments to the Consolidated Plan. Section 91.505 (a) (1) through (3) shall determine what constitutes an amendment to the Consolidated Plan.

Sec. 91.505 Amendments to the consolidated plan.

(a) Amendments to the plan. The jurisdiction shall amend its approved plan whenever it makes one of the following decisions:

- (1) To make a change in its allocation priorities or a change in the method of distribution of funds;*
- (2) To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or*
- (3) To change the purpose, scope, location, or beneficiaries of an activity.*

The Consolidated Plan amendment process will involve the following steps:

- Public announcement of the Draft Amendment to the Consolidated Plan being available for public review and comment.
- The public notice of hearing to receive comments from the public and adopt the Draft Amendment.
- Public Hearing to accept public comments and adopt the Amendment to Consolidated Plan.
- All comments received during the public review process will be incorporated into the Amendment to the Consolidated Plan.
- The Final Amended Consolidated Plan will be made available to the public.

Annual Action Plans

The Annual Action Plan develops specific projects and a budget for the fiscal year. In order to select Annual Action Plan Projects, a Request for Proposals (RFP) will be published in compliance with the State of New Mexico Procurement standards.

The Annual Action Plan process will involve the following steps:

- Request for Proposals published.
- Special notification to any businesses or agencies will go out to the registered Section 3 Business contact list.
- Public Notice of the Draft Annual Action Plan, being available for public review and comment.
- Public Hearing Notice for adoption of the Draft Annual Action Plan.
- Public Hearing to accept public comments and adopt the Annual Action Plan.
- All comments received during the Draft Annual Action Plan public review process will be incorporated into the Final Annual Action Plan.
- The Final Annual Action Plan will be made available to the public.

Annual Action Plan Amendments

Section 91.505 (b) of the HUD regulations provide the City of Farmington the ability to determine what constitutes a minor or substantial amendment to the Annual Action Plan.

Sec. 91.505 Amendments to the consolidated plan.

(b) Criteria for substantial amendment. The jurisdiction shall identify in its citizen participation plan the criteria it will use for determining what constitutes a substantial amendment. It is these substantial amendments that are subject to a citizen participation process, in accordance with the jurisdiction's citizen participation plan. (See Sec. Sec. 91.105 and 91.115.)

1. Minor Amendments

A minor amendment to the Annual Action Plan shall constitute a budget adjustment from one project to another established project, from a canceled project to another established project, or the rolling of remaining funding into another established project. In all cases, the total value of the adjustment is less than \$25,000.

For a Minor Amendment, a public meeting shall be held with the City Council and the decision shall be made by a majority vote.

2. Substantial Amendments

A Substantial Amendment to the Annual Action Plan shall constitute any budget adjustment of \$25,000 or more or the creation of a new Annual Action Plan project.

The Substantial Amendment to the Annual Action Plan process will involve the following steps:

- Public Notice of the Draft Substantial Amendment, being available for public review and comment.
- Public Hearing Notice for adoption of the Draft Substantial Amendment.
- Public Hearing to accept public comments and adopt the Draft Substantial Amendment.

- All comments received during the Draft Substantial Amendment public review process will be incorporated into the Final Substantial Amendment.
- The Final Substantial Amendment will be made available to the public.

3. CDBG Budget Amendments as a Part of an Annual Action Plan

There are frequently budget balances from Annual Action Plan activities for various reasons, even for successfully completed projects. These balances can be rolled forward into the next Annual Action Plan to be added to a new year's CDBG funding. Because the Citizen Participation requirements set forth for Annual Action Plans, in this document, exceeds the standards set forth for Substantial Amendments, no additional public participation is needed for this type of amendment. The source or sources of the funding and that the funding is in the form of an amendment will be documented in the Annual Action Plan.

Consolidated Annual Performance Evaluation Report (CAPER)

The CAPER is an annual end-of-the-year report that documents expenditures, accomplishments, and compliance with federal regulations.

The CAPER process will involve the following steps:

- Public Notice of the Draft CAPER, being available for public review and comment.
- Public Hearing Notice for adoption of the CAPER.
- Public Hearing to accept public comments and adopt the CAPER.
- All comments received during the CAPER public review process will be incorporated into the Final CAPER.
- The Final CAPER will be made available to the public.

Other Federal Requirements

1. Availability to the Public

- a) The Consolidated Plan as adopted and amendments to the Consolidated Plan, the Annual Action Plan and substantial amendments to the Annual Action Plan, and the CAPER will be made available to the public.
- b) Final and/or adopted copies of these documents shall be available to the public on the City of Farmington web site, at the Farmington public library, and the Community Development Department's offices.
- c) Digital copies of the required documents shall be made available to the public at no cost through the internet.

2. Access to Records

The City of Farmington shall provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's Consolidated Plan and the jurisdiction's use of grant assistance under the programs covered.

3. Technical Assistance

The City of Farmington Community Development Department shall provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the Annual Action Plan projects covered by the five-year

Consolidated Plan. The level and type of assistance will be determined by the City of Farmington and may include training in HUD CDBG procedures and regulations and the provision of documents and socioeconomic data maintained by the department. All RFPs will include a pre-application meeting where interested parties may seek assistance and ask questions related to the development of project proposals. At this pre-application meeting, the issue of qualifying for Section 3 Low Income Business preferences will be specifically addressed by CDBG Staff. The provision of funds, to these groups, will not be included in the assistance in developing proposals.

4. Language and other Special Needs Assistance

The City of Farmington shall meet the needs of non-English speaking residents and the impaired during public hearings with prior notice. All public hearing notices will include the following text:

The meeting room and facilities are fully accessible to persons with mobility disabilities. If you plan to attend the meeting and will need auxiliary aid or service, please contact the City Clerk's office at 599-1101 or 599-1106 prior to the meeting so that arrangements can be made.

5. Complaints

The City of Farmington shall respond to substantive written complaints from citizens related to the Consolidated Plan, Annual Action Plan, individual projects, amendments, and the CAPER, within 15 working days, where practicable. If a response to a written complaint will take more time, then notice of this fact will be provided within 15 working days and an estimate of the time to prepare the response shall be provided. All written comments and their response shall be included in the appropriate final document.

6. Anti-Displacement Policy

This citizen participation plan hereby affirms the City of Farmington's commitment to minimize displacement of persons and to assist any persons displaced. Any person so displaced shall be provided the required notice and if income qualified, shall be provided move-in assistance per HUD Regulations.

7. Commitment to Comply

The City of Farmington shall follow this Citizen Participation Plan during the development and execution of this Citizen Participation Plan, the Consolidated Plan, Annual Action Plans, Amendments, and CAPERs.

Appendix

A Finding on the Navajo Written Language

According to a news article (“Watching the Ancient Navajo Language Develop in a Modern Culture”, written by Jenny Kane and found at http://www.daily-times.com/farmington-news/ci_22462945/watching-ancient-navajo-language-develop-modern-culture), there is no newspaper that publishes in Navajo. Even the Navajo Tribe publishes its own public notices in English in the Navajo Times.

Local Language Research

The issue of language needs was researched in anticipation of preparing this document. Table 1 below uses 2006-2010 American community Survey 5-year average data for the City of Farmington and San Juan County to document the number of households where language is a barrier to providing adequate public notices. The premise of this research is that if public notices are published in English and Spanish, how many households would be at risk of not having adequate public hearing notice? In the left column of the table are the racial groups and their language status. The critical language status rows for each racial group are shaded grey with the key statistics in red: "No one 14 and over speaks English only or speaks English very well". This definition comes directly from the ACS questionnaires and defines a household that would not likely be able to be informed in the English language without assistance. The number and percent of households for Farmington and San Juan County is shown on the right side of the table. The last row shows the number and percent of households that do not speak English or Spanish. The row entitled Other Languages is most likely local Native Americans who may predominantly speak Navajo.

In the City of Farmington, only 1.2% of the households would be at risk if public notices are published in English and Spanish. To attempt to address the issue of noticing Native Americans, the CDBG program will post public hearing notices for the Consolidated Plan, Annual Action Plans, and CAPERS at the Farmington Indian Center where language assistance is readily available.

Table 1

Public Hearing Notice Language Analysis - Citizen Participation Plan				
HOUSEHOLD LANGUAGE BY HOUSEHOLDS IN WHICH NO ONE 14 AND OVER SPEAKS ENGLISH ONLY OR SPEAKS A LANGUAGE OTHER THAN ENGLISH AT HOME AND SPEAKS ENGLISH "VERY WELL"				
	Farmington City		San Juan County	
	Households	Percent	Households	Percent
Total Households:	15,569		41,767	
English only	10,792	69.3%	24,745	59.2%
Spanish:	2,540	16.3%	5,426	13.0%
No one 14 and over speaks English only or speaks English "very well"	364	2.3%	632	1.5%
At least one person 14 and over speaks English only or speaks English "very well"	2,176	14.0%	4,794	11.5%
Other Indo-European languages:	248	1.6%	412	1.0%
No one 14 and over speaks English only or speaks English "very well"	59	0.4%	59	0.1%
At least one person 14 and over speaks English only or speaks English "very well"	189	1.2%	353	0.8%
Asian and Pacific Island languages:	79	0.5%	182	0.4%
No one 14 and over speaks English only or speaks English "very well"	0	0.0%	4	0.0%
At least one person 14 and over speaks English only or speaks English "very well"	79	0.5%	178	0.4%
Other languages:	1,910	12.3%	11,002	26.3%
No one 14 and over speaks English only or speaks English "very well"	132	0.8%	941	2.3%
At least one person 14 and over speaks English only or speaks English "very well"	1,778	11.4%	10,061	24.1%
If Public Notices are in English and Spanish Only				
At Risk to not be informed of CDBG Public Actions	191	1.2%	1004	2.4%
Because the Other Languages Category is assumed to be predominately Navajo or other Native American Languages, due to the proximity of the Navajo Nation, the City of Farmington posts public notices at the Farmington Indian Center.				
English Only or speaks English "very well" in Household				
Category of Public Notice Language Concern				
Source: U.S. Census Bureau, 2006-2010 American Community Survey				
B16002				