



DRAFT Amended 2019-2023 Citizen Participation Plan

**Public Review/Comment Period is
from October 8, 2020 to October 13,
2020.**

The Virtual Public Hearing is scheduled for Tuesday, October 13, 2020, at 6:00 PM. The City will consider adoption of the document by resolution immediately after the public hearing.

Comments may be submitted prior to the public hearing to Community Works Department, 800 Municipal Drive, Farmington, NM 87401, Attn: Francisco Alvarado, CDBG Planner, by phone at (505) 599-1333, by email to falvarado@fmtn.org, or by attending the virtual hearing. Please contact the City Clerk's office at (505) 599-1101 for virtual access.

Introduction

This CITIZEN PARTICIPATION PLAN is a revision of a document adopted by the City of Farmington, NM (the "City") in 2014. The objective of the Plan is to provide for and encourage citizens to participate in the development of the Consolidated Plan, the Annual Action Plans, and any substantial amendments. Additionally, the City must complete the Analysis of Impediments to Fair Housing (AI) every five (5) years, and the Consolidated Annual Performance and Evaluation Report (CAPER) annually.

The Consolidated Plan and each year's Action Plan guide the City's use of Community Development Block Grant (CDBG) and other federal funds which are made available from the U.S. Department of Housing and Urban Development (HUD). The AI analyzes the local fair housing landscape and sets fair housing priorities and goals for the community. The CAPER provides an assessment of funds expended and a quantitative analysis of program or project outcomes.

The Community Works Department is the lead agency within the City of Farmington for development and implementation of these plans and reports. The Department asks other groups to participate, such as the Cities of Aztec and Bloomfield, Town of Kirtland, San Juan County, Four Corners Comprehensive Homeless Assistance Providers (CHAP), San Juan Safe Communities, San Juan Community PLACE MATTERS, San Juan Regional Medical Center, Totah Behavioral Health, Presbyterian Medical Services, Joint Intervention Program, ECHO Food Bank, Veterans Affairs Supportive Housing, Four Corners Foundations, Childhaven, Family Crisis Center, Four Winds Recovery Center, People Assisting the Homeless (PATH), The Roof, San Juan County Housing Authority, San Juan County Partnership, San Juan Center for Independence, Northwest New Mexico Seniors, Red Apple Transit, among other local organizations and businesses. Additionally, the applicable Continuum of Care (CoC), managed by the New Mexico Coalition to End Homelessness in Albuquerque is also asked to participate.

This document is designed to meet HUD's basic requirements for citizen participation in accordance with 24 CFR Part 91.105.

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. All citizens, but especially those who are low-to-moderate income, who are living in low income targeted areas, special populations including the homeless, elderly, and the disabled, and minorities are encouraged to participate in these processes.

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 fourth Consolidated Plan, adopted in 2019. This Citizen Participation Plan was adopted with the 2019-2023 Consolidated Plan. It was subsequently revised to include expedited substantial amendment procedures.

In accordance with 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 municipalities of Aztec, Bloomfield, and Kirtland.
5. The City of Farmington will also consult with San Juan County and the adjacent municipalities 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, the AI, the Annual Action Plan, any proposed amendments, 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.

Outreach

The City is committed to making reasonable and timely access to the needs assessment, strategy development, and budget recommendation process of the Consolidated Plan and Action Plan possible for all members of the community. The following outreach efforts are examples of measures that may be taken as appropriate to provide citizen's access to the process.

Mailing List (including electronic mailing lists): The City will maintain a comprehensive mailing list of interested parties, adjacent local governments, non-profit organizations, and public and private agencies that provide affordable housing, economic development, business assistance, health services and social services and use this list to send summary information, public hearing or comment period notices.

For items expecting to effect a specific neighborhood or population, notices and distributed information will be provided in multiple languages, as needed.

Targeted Survey: When appropriate, such as during the preparation of the Consolidated Plan, the City may use targeted surveys to assist in identifying community needs, existing services available to meet those needs, assessing any gaps in meeting those needs, and developing strategies to address outstanding needs. If needed, surveys will be provided in various languages.

Public Service Announcements (PSAs): Create and run public service announcements about the CDBG program and the Consolidated and Action Plan processes to inform, educate and promote citizen participation.

Neighborhoods: Invite neighborhoods to participate and to coordinate with their own neighborhood planning and implementation efforts.

San Juan County Housing Authority: Consult with the Housing Authority staff and invite public housing residents and Section 8 Voucher holders to participate in development and implementation of strategies.

Fair Housing Month: Use this national recognition month to promote and affirm the City's commitment to fair housing. This may include a resolution, public service announcements, keynote speakers, neighborhood meetings or other activities.

All Media, including social media: Use media releases about the Consolidated Plan and Action Plan processes and citizen participation opportunities throughout the program year.

City Website: Use the City's website to publicize opportunities for public input, including public meetings and hearings and to highlight the development, implementation and monitoring process (<http://www.fmtn.org/>).

Availability to the Public

1. Draft Document Public Review and Comment

The Consolidated Plan, the AI, 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 made available on the City of Farmington Web Page, and at the following sites: Farmington Library Reference Desk, Sycamore Park Community Center, Indian Center, San Juan Center for Independence, Bonnie Dallas Senior Center, Farmington Museum, City of Farmington Community Works Department, and 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, and the Annual Action Plan. All public hearing notices will be published in the local newspaper for a minimum of 15 days prior to a public hearing.

In the event of a national, state or local declared emergency that limits the ability for in person meetings, virtual hearings will be an allowed method for citizen participation. If virtual hearings are used, real-time responses and accommodations for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible.

For CDBG funding under FY 2019-2020, FY 2020-2021, and the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, the City may provide a 5-day notice/comment period as allowed under a HUD waiver. This includes any new activities proposed.

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

The issue of the number of households and persons with Limited English Proficiency (LEP) in the community was researched to look at the language

needs in the community. According to 2013-2017 American Community Survey 5-Year Estimates, the largest “Limited English speaking household,” at 264 households or 1.70% of all households in Farmington speak Spanish. The next largest “Limited English speaking household” group, “Other languages” would most likely include Navajo speakers because of the proximity of the Navajo Nation to the City of Farmington. Navajo is historically a spoken and not a written language. A recent internet search indicates that no newspapers are currently published in the Navajo language and that the Navajo Nation continues to publish their public notices in the Navajo Times in English.

The table in the appendix details language usage in Farmington and San Juan County. 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 shall 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 Bonnie Dallas 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 AI, 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 Works Department.

Development of the Citizen Participation Plan

The City of Farmington must make the development of 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 and Annual Action Plans

The City of Farmington must prepare a Consolidated Plan and the AI every five years and an Action Plan annually. The City will hold a minimum of two (2) public meetings during the development of these Plans that will include identification of community housing and non-housing needs, prioritization of needs, development of strategies to meet the identified needs and budget recommendations to implement those strategies. Community outreach, as outlined in this Plan, shall be utilized to increase participation in the development of the Plans. Citizens may propose amendments to the Consolidated Plan and/or Action Plan.

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) may be utilized in the selection process when multiple offerors are expected, such as done typically in the case of public service projects. If utilized, the RFP will be published in compliance with the State of New Mexico Procurement standards.

The Annual Action Plan process will involve the following steps:

- Selection of Projects will be made by an affirmative majority vote of the City Council in a noticed public meeting prior to the development of the Draft Annual Action Plan.
- 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.

Amendments

Amendments to all plans and reports shall be in accordance with §91.505, which consists of:

“(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, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan; or

(3) To change the purpose, scope, location, or beneficiaries of an activity.

(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 §§91.105 and 91.115.)

(c) Submission to HUD.

(1) Upon completion, the jurisdiction must make the amendment public and must notify HUD that an amendment has been made. The jurisdiction may submit a copy of each amendment to HUD as it occurs, or at the end of the program year. Letters transmitting copies of amendments must be signed by the official representative of the jurisdiction authorized to take such action.

(2) See subpart B of this part for the public notice procedures applicable to substantial amendments. For any amendment affecting the HOPWA program that would involve acquisition, rehabilitation, conversion, lease, repair or construction of properties to provide housing, an environmental review of the revised proposed use of funds must be completed by HUD in accordance with 24 CFR 574.510.

(d) The jurisdiction must ensure that amendments to the plan are consistent with its certification to affirmatively further fair housing and the analysis and strategies of the AI.”

Substantial Amendments

An amendment shall be considered “substantial” if it exceeds twenty percent (20%) of the City’s annual entitlement, plus any income. The citizen participation process and noticing requirements shall be followed to the extent required by HUD for substantial amendments to the approved Consolidated Plan and Action Plans, except those for disaster activities. The Department shall review proposed amendments and forward a recommendation to the City Council. The City Council shall, following a 30-day public comment period, consider the item after a public hearing.

Disaster/Emergency Events That May Require Expedited Substantial Amendments

It may be necessary to amend the Consolidated Plan in the event of a declared disaster or emergency. There are three (3) types of disasters/emergency events that may necessitate an expedited substantial amendment including (1) Man-made disasters, (2) Natural disasters, and (3) Terrorism. Man-made disasters can include chemical spills, mass rioting, power outages, dam failure, plant explosions, etc. Natural disasters can include flooding, tornadoes, earthquakes, wildfires and public health issues such as widespread disease such as the recent coronavirus disease 2019 (COVID-19). Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing and virus distribution, etc.

These expedited amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet community development needs resulting from a declared disaster or emergency. Therefore, the City of Farmington may utilize CDBG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period, which is otherwise required for substantial amendments.

For CDBG funding under fiscal year 2019, fiscal year 2020, and the Coronavirus Aid, Relief and Economic Security Act or CARES Act, the City of Farmington may provide a 5-day notice of a proposed change as allowed under a HUD waiver.

Expedited substantial amendments will involve the following steps:

- Publication of the availability of the substantial change(s) in the local newspaper.
- Publication of the substantial amendment on the City of Farmington website.
- Copies will be provided for review in public buildings (see page 4).
- Virtual hearing during a City Council meeting for public comments, consideration and adoption of the substantial amendment. Citizens will be informed of the public hearing through citywide newspaper notification at least five (5) days prior to the hearing.
- Publication of the adopted amendment on the City website.

Non-Substantial Amendments

All other amendments shall be considered "non-substantial" and may be approved by an affirmative vote by a majority of the City Council during a regularly scheduled meeting.

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 carried over 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 Consolidated Annual Performance and Evaluation Report (CAPER) identifies the final budget expenditure and performance results for each Annual Action Plan activity from the currently completed program year and any outstanding activities from prior program years.

The CAPER shall be submitted to HUD within 90 days from the close of the City's CDBG program year. The City's program year corresponds to the federal fiscal year which runs from October 1 to September 30 of each year. The CAPER shall be submitted to HUD by mid-December.

The City will hold at least one meeting annually to review program performance, allow citizen input regarding the City's community development and housing needs, and to provide information regarding priorities and proposed activities to citizens.

The CAPER process will involve the following steps:

- Public Notice of the Draft CAPER, being available for public review and comment.
- 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 on the City website.

Other Federal Requirements

1. Availability to the Public

- a. The Consolidated Plan as adopted and amendments to the Consolidated Plan, the AI, 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 Works 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 Works 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 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.

4. Language and other Special Needs Assistance

The City of Farmington shall meet the needs of Limited English Proficiency (LEP) and impaired/disabled persons during public hearings with prior notice. All public hearing notices will include the following text:

The meeting rooms and facilities are fully accessible to persons with mobility disabilities and accommodations are available for the hearing impaired. 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. The 711 Telecommunications Relay Service (TRS) is available for the hearing impaired. Dial 711 on your phone to automatically to be connected to a TRS operator for free.

5. Complaints

The City of Farmington shall respond to substantive written complaints from citizens related to the Consolidated Plan, AI, 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. 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, the AI, Annual Action Plans, Amendments, and CAPERs.

Appendix

| Language Analysis - 2019 Citizen Participation Plan | | | | |
|--|-----------------|---------|-----------------|---------|
| HOUSEHOLD LANGUAGE BY HOUSEHOLD LIMITED ENGLISH SPEAKING STATUS | | | | |
| | Farmington City | | San Juan County | |
| | Households | Percent | Households | Percent |
| Total Households: | 15,505 | | 41,999 | |
| English only | 11,250 | 72.56% | 25,042 | 59.63% |
| Spanish: | 2,159 | 13.92% | 5,481 | 13.05% |
| Limited English speaking household | 264 | 1.70% | 617 | 1.47% |
| Not a limited English speaking household | 1,859 | 11.99% | 4,864 | 11.58% |
| Other Indo-European languages: | 73 | 0.47% | 269 | 0.64% |
| Limited English speaking household | 0 | 0.00% | 7 | 0.02% |
| Not a limited English speaking household | 73 | 0.47% | 264 | 0.63% |
| Asian and Pacific languages: | 39 | 0.25% | 188 | 0.45% |
| Limited English speaking household | 12 | 0.08% | 34 | 0.08% |
| Not a limited English speaking household | 27 | 0.17% | 154 | 0.37% |
| Other languages: | 1,984 | 12.80% | 11,019 | 26.24% |
| Limited English speaking household | 111 | 0.72% | 890 | 2.12% |
| Not a limited English speaking household | 1,873 | 12.08% | 10,129 | 24.12% |
| If Public Notices are in English and Spanish Only, | | | | |
| Estimate of Households that would be At Risk of not be informed of CDBG Public Actions | | | | |
| | 123 | 0.79% | 931 | 2.22% |
| Notes: | | | | |
| 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 will post public notices at the Farmington Indian Center where Navajo language assistance is readily available. | | | | |
| Estimates for household size from the 2013-2017 ACS include 2.87 persons for the City of Farmington and 3.01 persons for San Juan County. | | | | |
| Sources: U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates | | | | |
| Tables C16002, B25010 | | | | |