

CITY OF MILPITAS CITIZEN PARTICIPATION PLAN

Introduction

The City of Milpitas is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation. The citizen participation plan must provide for and encourage citizens to participate in the development of the Assessment of Fair Housing (AFH), any revisions to the AFH, the Consolidated Plan, any substantial amendment to the Consolidated Plan, any Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER).

The City of Milpitas' Building Safety and Housing Department is responsible for ensuring compliance with the Citizen Participation Plan. Copies of the Citizen Participation Plan are available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street, and online at <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>.

Public comments can also be sent to:

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Community Development Block Grant (CDBG)

The U.S. Department of Housing and Urban Development (HUD) provides annual grants through its Community Development Block Grant (CDBG) to local entitlement cities to assist organizations to provide decent housing, a suitable living environment and expand economic opportunities to low- and moderate-income persons. As part of the CDBG program, it is required that the Citizen Participation Plan provide a process to create opportunities for low- and moderate-income households to participate in the process of planning, implementation and the assessment of programs and projects. The Citizen Participation Plan will reflect HUD programmatic requirements and insure greater public participation.

Estimate Amount that will Benefit Persons of Low and Moderate Income

City of Milpitas receives about \$600,000 annually from Department of Housing and Urban Development. At least 70% of this CDBG funding must be allocated to low and moderate-income households and clientele.

Below outlines the process that the City plans to incorporate residents' participation.

City of Milpitas' Citizen Participation Plan: Community Outreach and Background Information

The Citizen Participation Plan requirements are designed to encourage participation by low- and moderate- income persons. Local residents, service providers, and other interested parties such as businesses, developers, non-profits, and community-based and faith-based organizations are also encouraged to participate.

Community Outreach - The City of Milpitas will take the following steps to encourage citizen participation:

- Public hearing notices will be advertised in a local newspaper of general circulation, on the City's website, on the City's social media accounts, at the Milpitas Public Library and at Milpitas City Hall
- City Staff will provide language interpreters for individuals with limited English proficiency at City Council meetings.
- City Staff will help translate public hearing notices in the following languages which are common in Milpitas: Vietnamese, Spanish, Mandarin.
- The CDBG Subcommittee will meet with groups, agencies, and organizations representing diverse populations and/or areas of concentration of minorities to address their social and economic needs as CDBG funds will allow.
- Milpitas will continue to make available the TDD phone number for disabled persons.
- City staff will notify all interested parties of any substantial amendments to the greatest extent possible.
- City staff will post public hearing and meeting notices on the City and department website and social media accounts.
- City staff will email the Community Advisory Commission, current and prior CDBG applicants, and known interested parties, all public hearing and meeting notices.

Jurisdiction Plans to minimize Displacement of Persons and Assistance Available

Milpitas will take every precaution to minimize the displacement of persons and provide assistance as available. Any CDBG activity that will cause displacement, City staff will work with the tenant(s) with relocation plans, regarding site, locations, costs, moving expenses, etc. before funding is allocated. Projects that may cause temporary harm to the tenants such as fumigation, must include a relocation plan in the project budget and a proposal during the time of application submission to the City.

Unsolicited Application and Public Hearing Process for CDBG Funding

- 1) At least 150 days prior to the end of the fiscal year, the City will publish in the local newspaper of general circulation, a Notice of Funding Availability for CDBG applications. The notice will include an estimated amount of funds that will be made available to the City by HUD during the fiscal year. The notice shall also include where applications can be obtained, a link to the City's application process, and a City contact person to obtain additional information regarding the CDBG application submittal process. Applications will be accepted on a rolling basis. Applications accepted up until 21 days prior to the City's CDBG Council Subcommittee meeting on CDBG allocations will be considered at that meeting. If a subsequent CDBG Subcommittee meeting on CDBG allocations is scheduled, subsequent applications will utilize the same timeframe to be considered at the subsequent CDBG Subcommittee meeting.
- 2) All notices along with applications will be sent to all current and former CDBG sub-recipients, former applicants who were previously denied funding in the past fiscal year and interested parties. A letter will be included with the notices to offer any technical assistance by the City to applicants explaining the CDBG regulations and process, responding to questions, and assisting on completing the application for funding.
- 3) The City will also provide this information on the City's website to provide additional outreach efforts to local Milpitas residents, groups and organizations. As COVID-19 related health conditions allow, notices will also be made available in the Milpitas Public Library and other public buildings throughout the City.
- 4) Prior to the start of the funding cycle for CDBG funds, the City will make itself available to assist any applicant on the processing of their CDBG application, inform the general public about the CDBG application process, to enhance public access and participation of the CDBG process.
- 5) The Milpitas Community Advisory Commission (CAC) and City Council will hold at least one advertised public hearing on CDBG funding allocations during each fiscal year. Notice of the public hearing will be made available in the following manner:

- a) At least 10 days prior to the established public hearing date, the City will publish a Public Hearing notice in the local newspaper of general circulation and main City website. The public hearing notice will include: the time, place and date of the public hearing to be held, the purpose of the public hearing and how and where persons interested in the public hearing can obtain more information about this matter, and a City contact person for reasonable requests and interpreters.
- b) A copy of the public hearing notice will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process. All notices will be sent at least 10 days prior to the established meeting date.
- c) The public hearing notice will be posted on the City Public Bulletin Board in front of City Hall to allow maximum visibility by local residents. The notice will be posted at least 10 days prior to the meeting.
- d) The public hearing notice will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

Notice of Public Hearings, Public Noticing, and Public Comments

The following section outlines the Public Hearing requirements for each of the documents that require citizen participation. These documents are the Assessment of Fair Housing (AFH), any revisions to the AFH, the Consolidated Plan, any substantial amendment to the Consolidated Plan, any Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER). Unless noted otherwise in its specific subsection, the public hearing noticing requirements will apply for all documents and conform to process detailed below:

- b) At least 10 days prior to the established public hearing date, the City will publish a Public Hearing notice in the local newspaper of general circulation and main City website. The public hearing notice will include: the time, place and date of the public hearing to be held, the purpose of the public hearing and how and where persons interested in the public hearing can obtain more information about this matter, and a City contact person for reasonable requests and interpreters.
- b) A copy of the public hearing notice will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process. All notices will be sent at least 10 days prior to the established meeting date.
- c) The public hearing notice will be posted on the City Public Bulletin Board in front of City Hall to allow maximum visibility by local residents. The notice will be posted at least 10 days prior to the meeting.

- d) The public hearing notice will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

All public hearings will be held in the evenings to encourage citizen participation. Public hearings will be held consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable.

As needed, the City will provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in commenting on the documents listed in this section.

Citizen complaints regarding any of the documents listed below may be made in person at City Hall, by telephone at 408-586-3240, or via email at housing@ci.milpitas.ca.gov. The City will respond to complaints with a timely, substantive written response to every written resident complaint, within 15 working days.

Consolidated Plan and Assessment of Fair Housing

The City will hold two public hearings prior to the adoption of the Consolidated Plan to encourage the community to participate in the development of the Consolidated Plan and Assessment of Fair Housing. The public hearing noticing requirement will be 30 days for each meeting.

Additionally, the City will publish, and make available for comment, the draft Consolidated Plan and Assessment of Fair Housing 30 days prior to the public hearing. Copies of the documents will be made available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street.

A link to the draft Consolidated Plan and Assessment of Fair Housing will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process.

The draft Consolidated Plan and Assessment of Fair Housing will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

The final version of the Consolidated Plan will be posted on the Building Safety and Housing Department webpage at: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Minor Amendments to the Consolidated Plan

Any minor amendments to the Consolidated Plan will be made administratively and will be incorporated into the City's CAPER at the end of the program year. Minor amendments shall

maintain the integrity of the plan and cannot include any substantial change in policy or in funding priorities while still maintaining flexibility in meeting the goals and objectives.

Substantial Amendments to the Consolidated Plan

Substantial amendments to the Consolidated include: 1) changes in the allocation priorities or the method of distribution of funds, 2) changes that carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the Action Plan, and 3) changes to the purpose, scope, location or beneficiaries of any activity. Any amendment listed above shall be determined to be substantial if a change totals 25% or more of the city grant allocation. Minor adjustments in funding levels for public services, housing activities and administration due to differences in actual versus anticipated program income should not be considered substantial.

The City will hold one public hearings prior to the adopting any substantial amendments to the Consolidated Plan to encourage the community to participate in the changes to the plan. The public hearing noticing requirement will be 30 days.

Additionally, the City will publish, and make available for comment, the substantial amendments to the Consolidated Plan 30 days prior to the public hearing. Copies of the document will be made available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street.

A link to the substantial amendments to the Consolidated Plan will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process.

The substantial amendments to the Consolidated Plan will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

The amended version of the Consolidated Plan will be posted on the Building Safety and Housing Department webpage at: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Revisions to the Assessment of Fair Housing

The minimum criteria for a revision to the Assessment of Fair Housing is when 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. An example of a material change would be a federally declared natural disaster.

The City will hold one public hearing prior to the adopting any revision to the Assessment of Fair Housing to encourage the community to participate in the changes to the plan. The public hearing noticing requirement will be 30 days.

Additionally, the City will publish, and make available for comment, the revision to the Assessment of Fair Housing 30 days prior to the public hearing. Copies of the document will be made available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street.

A link to the revision to the Assessment of Fair Housing will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process.

The revision to the Assessment of Fair Housing will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

The amended version of the Assessment of Fair Housing will be posted on the Building Safety and Housing Department webpage at: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Annual Action Plan

The City will hold one public hearing prior to the adoption of the Annual Action Plan to encourage the community to provide feedback to the City Council as to where and to whom CDBG funds should be allocated.

The public hearing will take place during the City Council meeting to approve the final CDBG allocation. The public hearing noticing requirement will be 30 days for this meeting.

Additionally, the City will publish, and make available for comment, the draft Annual Action Plan 30 days prior to the public hearing. Copies of the document will be made available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street.

A link to the draft Annual Action Plan will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process.

The draft Annual Action Plan will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

The final version of the Annual Action Plan will be posted on the Building Safety and Housing Department webpage at: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Consolidated Annual Performance and Evaluation Report (CAPER)

The City will hold one public hearing prior to the adoption of the CAPER to encourage the community to provide feedback to the City Council as to the performance of the subgrantees during the fiscal year. The public hearing noticing requirement will be 15 days for this meeting.

Additionally, the City will publish, and make available for comment, the draft CAPER 15 days prior to the public hearing. Copies of the document will be made available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street.

A link to the draft CAPER will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process.

The draft CAPER will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

The final version of the CAPER will be posted on the Building Safety & Housing Department webpage at: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Amendments to the Citizen Participation Plan

Minor Amendments

Any minor amendments to the Citizen Participation Plan will be made administratively and will be incorporated into the City's CAPER at the end of the program year. Minor amendments shall maintain the integrity of the plan and cannot include any substantial change in policy or in funding priorities while still maintaining flexibility in meeting the goals and objectives.

Substantial Amendment

Any amendment the City deems substantial shall be made available for public review and comments in the following manner:

The City will hold one public hearing prior to the adopting any substantial amendments to the Citizen Participation Plan to encourage the community to participate in the changes to the plan. The public hearing noticing requirement will be 30 days.

Additionally, the City will publish, and make available for comment, the substantial amendments to the Citizen Participation Plan 30 days prior to the public hearing. Copies of the document will be made available at the Permit Center front counter at City Hall located at 455 E. Calaveras Blvd. and Milpitas Public Library at 160. N. Main Street.

A link to the substantial amendments to the Citizen Participation Plan will also be e-mailed to all grant applicants and other persons who have indicated a previous interest in the CDBG process.

The substantial amendments to the Citizen Participation Plan will be posted on the City's social media accounts and on the Milpitas Building Safety and Housing Department's webpage.

The amended version of the Citizen Participation Plan will be posted on the Building Safety and Housing Department webpage at: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Citizen Participation Requirements in State of Emergency

The City of Milpitas shall comply with all U.S. Department of Housing and Urban Development (HUD) memorandums and notices that transmit citizen participation requirements in the event of a local, state, or national emergency or disaster. In order to secure and access new HUD funding and/or re-allocate existing HUD funding to allow the City to respond to the state of emergency in the most expeditious manner, such HUD memorandums and notices automatically supersedes any conflicting provisions of the Citizen Participation Plan, and therefore no formal amendment is required when such emergency memorandums and notices are in effect.

CDBG Subcommittee

The City of Milpitas established the CDBG Council Subcommittee in June 2019. For the purposes of Citizen Participation, CDBG application selection, Annual Action Plan, Consolidated Plan amendments, and CAPER reporting, the CDBG Council Subcommittee will be the primary reporting and recommending body to the full City Council.