



## **Citizen Participation Plan**

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# CITIZEN PARTICIPATION PLAN

## INTRODUCTION

The Citizen Participation Plan (“the Plan”) sets forth the City’s policies and procedures by which it encourages local citizens to participate and comment on various housing and community development activities funded through federally funded programs. The programs include the Community Development Block Grant Program (CDBG), the HOME Investment Partnership Program (HOME), and the Emergency Solutions Grant Program (ESG).

The primary purpose of these programs is to improve communities by providing decent housing; a suitable living environment; and growing economic opportunities. All activities principally benefit low- and moderate- income people. An area is defined as a predominantly low- and moderate- income when, at a minimum, 51% of the residents of the census tract have income that do not exceed 80% of the area median income (AMI) as approved by the federal government.

The Plan was prepared in accordance with Section 104(a) of the Housing and Community Development Act of 1974, as amended. The 24 CFR 91.105 federal regulations outline the “citizen participation” requirements. This document has been established in order for the City of Colorado Springs to be in conformance with the requirements of the regulations.

The Citizen Participation Plan relates to several stages of action mentioned in law or regulation. In general, these stages or events include:

- Identification of housing and community development needs
- Preparation of the draft use of funds for the upcoming year, known as the proposed Annual Action Plan; or the development of the new five-year Consolidated Plan
- Formal approval by City Council of a final Annual Action Plan; or new five-year Consolidated Plan
- Occasional necessary changes to the use of budgeted funds in an Annual Action Plan; or change to the priorities established in the five-year Consolidated Plan. If the necessary changes meet the substantial change definition, a formal Substantial Amendment will be published for citizen input and acted upon by City Council.
- Annual Performance Report to HUD at program year completion drafted for public review and comment

## ENCOURAGING PUBLIC PARTICIPATION

The Plan provides for and encourages citizens to participate in the development of the Consolidated Plan and Annual Action Plan, any substantial amendments to the Consolidated or Annual Action Plans, and the performance report. The City strives to exceed the minimum requirements set forth in regulation by consulting with stakeholders throughout the planning process as well as hosting required public hearings. Citizen Participation activities are documented in the Annual Action Plan. In summary, this Plan;

- Provides for and encourages citizen participation with particular emphasis on participation by persons who are residents of slum and blighted areas, and/or in low- and moderate-income neighborhoods or targeted revitalization areas as defined by the City;
- Provides for and encourages citizen participation by people with disabilities, including providing a copy of the Plan in a format accessible to people with disabilities, upon request;
- Provides for and encourages citizen participation by all City citizens, including minorities and non-English speaking persons, and identifies how the needs of non-English speaking residents will be met in the case of public hearings where non-English speaking residents can be reasonably expected to participate;
- Provides citizens with reasonable and timely notification and access to local meetings, information, and records relating to the City's proposed and actual use of federal Community Development Block Grant, HOME Investment Partnership Funds and Emergency Solutions Grant funds;
- Provides for technical assistance to groups and organizations representing persons of low- and moderate-income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Provides for public hearings to obtain citizen views and respond to proposals. The public hearings shall be held after adequate notice, at times and locations convenient to potential or actual beneficiaries, and with accommodations for people with disabilities. Process includes at least one public hearing for the identification of needs and one public meeting to review proposed activities;
- Provides for review of the programs' annual performance;
- Provides for a timely written response to written complaints and grievances where applicable;
- Consultations, direct mailings and other contact with local and regional organizations, assisted housing providers, public housing agencies, social service agencies, and advocacy groups, as well as their beneficiaries, will be utilized to

encourage further participation.

The following timeline provides a general overview of the activities required in the development of the Consolidated Plan and Annual Action Plan. The timeline is subject to change.

April	Start of program year Previous year wrap up and reconciliation
May	Consolidated Annual Performance Report (CAPER) preparation
June	CAPER comment period; submission to HUD
July	Public Input Hearing Report accomplishments
August	Consultations
September	Notice of Funding Availability
October	Project Applications Due City Council Budget Hearing
November	Project Applications Review
December	Recommendations of Awards City Council Budget approval (estimates)
January	Draft Action Plan Presentation to City Council Public Comment Period and Public Hearing
February	City Council Approval Submission to HUD (45 days before start of program year)
March	End of program year

## PUBLIC HEARINGS

The City's Community Development Division will, at a minimum, convene two public hearings to be conducted during the development of the Five-Year Consolidated Plan and/or Annual Action Plan to obtain citizens' views and to respond to proposals and questions.

The first public hearing will be held prior to the development of the Five-Year Consolidated Plan and/or Annual Action Plan for the purpose of soliciting public comment on the affordable housing and community development needs in the City.

In addition, the City may hold additional public meetings in various neighborhoods throughout Colorado Springs, and with local and regional organizations, assisted housing providers, public housing agencies, social service agencies, and advocacy groups for the same purpose.

The second public hearing will be held during the 30-day public comment period and prior to submission to HUD.

If non-English speaking or hearing impaired residents request assistance or participate in a

public hearing, the City will make arrangements to have an interpreter present given reasonable advanced notice. Instructions for making such request will be outlined in the public notice.

### ***First Public Hearing***

The City will hold the first Public Hearing to obtain citizen views on community development and affordable housing needs and to provide citizens important program information as part of the planning process for the coming program year or years. At the Public Hearing the following information will be made available:

- Accomplishments of the previous program year
- The estimated amount of HUD entitlement grant, program income, and other funds that are reasonably expected to be available during the program year;
- The range of eligible activities that may be undertaken with CDBG, HOME and ESG funds;
- The estimated amount of those funds to be used for activities that will benefit low- and moderate-income persons;
- A description of CDBG, HOME and ESG activities likely to result in displacement, plans for minimizing such displacement, and the type and level of assistance that will be made available to persons displaced.

### ***Second Public Hearing***

Once drafted and before the Five-Year Consolidated Plan and/or Annual Action Plan is adopted, the document(s) will be made available publicly for a comment period no less than 30 days. The second public hearing will be conducted during the 30-day comment period to gather comments on the proposed plan. A summary of the comments received and any comments or views not accepted and the reasons therefor shall be attached to the final Consolidated Plan or Action Plan.

## **NOTICE**

### ***Public Comment Period***

For all documents that require public comment, notice will be given with enough time for the public to take informed action. A formal public notice will be published in a newspaper of general circulation in the area at least fifteen (15) days prior to the opening of the public comment period, and notice will be posted on the City of Colorado Springs website at [www.coloradosprings.gov/communitydevelopment](http://www.coloradosprings.gov/communitydevelopment). Additional public notices may include press releases, public service announcements, flyers, and emails via distribution lists that include neighborhood and other civic engagement organizations, churches, community centers, libraries, and social media.

### ***Public Hearings***

Advanced notice will be given with enough time for the public to take informed action. A formal public notice will be published in a newspaper of general circulation in the area at least fifteen (15) days prior to such public hearings, and notice will be posted on the City of

Colorado Springs website at [www.coloradosprings.gov/communitydevelopment](http://www.coloradosprings.gov/communitydevelopment). Additional public notices may include press releases, public service announcements, flyers, and emails via distribution lists that include neighborhood and other civic engagement organizations, churches, community centers, libraries, and social media.

### ***Other Meetings***

In addition to the required Public Hearings, the City will host meetings with particular emphasis on participation by special needs populations and by persons who are residents of slum and blighted areas and/or low- and moderate-income neighborhoods or geographic priority areas as defined by the City. These meetings will be open to the public and advertised with full and timely notice through local channels such as email, direct mail, social media, newsletters, and posted on the City of Colorado Springs website at [www.coloradosprings.gov/communitydevelopment](http://www.coloradosprings.gov/communitydevelopment), but are not required to meet the Public Notice requirements for publication in a newspaper of general circulation.

### **Colorado Sunshine Law**

To meet the requirements of the Colorado Sunshine Law (CRS 24-6-402), all meetings where three or more members of a local public body may be in attendance will be posted in the Office of the City Clerk, 30 S. Nevada Avenue, not less than 24 hours prior to the meeting.

## ACCESSIBILITY

### ***Limited English Proficiency***

On October 1, 2011, the City of Colorado Springs adopted a Limited English Proficiency (LEP) Policy and related LEP Plan Guidelines. The policy states that the City will "...provide timely meaningful access for Limited English Proficiency persons to City programs and activities." And that the City "...will take reasonable steps to ensure that persons with Limited English Proficiency (LEP) have meaningful access and opportunity to participate in our services, activities, and programs." The LEP policy and related plan guidelines were adopted in compliance with 24 CFR Part 1, Nondiscrimination in Federally-Assisted Programs of the Department of Housing and Urban Development, Effectuation of Title VI of the Civil Rights Act of 1964.

The City provides language access services at no charge to individuals with Limited English Proficiency (LEP) who wish to utilize programs, services, or activities offered by the City. These services may include interpreters and translation of documents. For language access assistance, contact the City's LEP Coordinator by phone at (719) 385-5906 or by email to [kprashant@springsgov.com](mailto:kprashant@springsgov.com).

In keeping with the City's LEP policy and guidelines, the Community Development Division has created a Division specific Language Assistance Plan (LAP) to provide language assistance services for community members seeking access to CDD's programs and services.

Current Census data indicates that Spanish is the most commonly spoken language other



than English in the Colorado Springs area. To ensure access to planning efforts, the Division does publish Public Notices in both English and Spanish. Other vital documents are available in translation upon request.

As part of an ongoing commitment to bridging gaps in communication with LEP persons, the Division will carry out the following activities:

1. Update Census language data as it becomes available;
2. Regularly review perceived LEP needs with eligible and potentially eligible citizens in our community;
3. As opportunities arise, coordinate programs with community agencies serving LEP persons;
4. Document language assistance requests.

### ***Accommodations for Residents with Disabilities***

To ensure that individuals with disabilities have reasonable opportunities for involvement in Community Development activities, the City will take the following steps:

1. Post all communications through a variety of accessible formats – email, web postings, flyers, meetings, formal hearings, etc.
2. Hold all formal Public Hearings in accessible locations and venues with auxiliary hearing aids and services for the hearing impaired. When requested, the City will provide sign language interpreters.

## PLAN APPROVAL

The draft Five-Year Consolidated Plan and/or Annual Action Plan will be presented to City Council for approval before it is submitted to HUD.

## PERFORMANCE REPORTS

The City of Colorado Springs will prepare a performance report for submission to HUD on an annual basis which is due within ninety (90) days of the close of the program year. Before the Consolidated Annual Performance and Evaluation Report (CAPER) is submitted to HUD, it will be made available for public review during a comment period of no less than 15 days. Citizens will be notified of the CAPER's availability through notification in a newspaper of general circulation. The notification will be published on the day the CAPER comment period begins. Comments will be considered from individuals and/or organizations received in writing. A summary of the written comments and a summary of those not accepted and the

reasons therefor, will be included in the final CAPER document submitted to HUD.

## CONSOLIDATED PLAN AND ANNUAL ACTION PLAN AMENDMENTS

The final Consolidated Plan and/or Annual Action Plan will be amended any time there is a change in one of the priorities presented on the HUD required Priority Table; a change in the use of money to an activity not mentioned in the final Consolidated Plan and/or Annual Action Plan; or a change in the purpose, location, scope, or beneficiaries of an activity.

### ***Substantial Amendments***

Substantial amendment means changes made in terms of purpose, scope, location, or beneficiaries. Any substantial change in the programs must be approved by City Council at a public hearing. It will then be submitted to HUD for informational purposes. In addition, any substantial change will be published in a newspaper of general circulation and citizens will be given 30 days to comment on the change(s). A summary of the written comments and a summary of those not accepted and the reasons therefore, will be included in the final document submitted to HUD. The following changes are considered substantial amendments:

1. Changes in funding by at least 20% of the amount allocated to the City's entitlement grant programs.
2. Changes in projects proposed, beneficiaries or persons served.
3. The proposed amendment deletes a project described in the Consolidated Plan.
4. The proposed amendment adds a project not described in the Consolidation Plan.

Eligible projects are allowable uses of the three federal funds (CDBG, ESG, and HOME) covered by the Citizen Participation Plan as defined in the Code of Federal Regulations Title 24 Part 570.201 of the Department of Housing and Urban Development.

### ***Non-substantial Amendments***

Any proposed amendment(s) to the approved Consolidated Plan that does not meet the above definition of a substantial amendment will be approved by the Community Development Manager. No public notifications, public hearings, and public body approvals are required. A record of the transaction will be included in the budget file. Any change that comes about as a result of a disaster declared by either the Mayor or the Governor shall be included and notice of the change will be given to the public. However, in this case, the 30-day comment period is not applicable.

## CITIZEN PARTICIPATION PLAN AMENDMENT PROCESS

Amendments to the Citizen Participation Plan shall be made only after the public has been notified of the City's intent to amend the Plan. The public notice of the City's intent to amend

the Plan shall be published no less than fifteen (15) days prior to a 30-day public comment and review period. The City may publish its intent to amend along with the proposed dates for the 30-day public comment and review period in a single public notice.

## AFFIRMATIVELY FURTHERING FAIR HOUSING

On July 15, 2016, the U.S. Department of Housing and Urban Development (HUD) released a final rule to equip communities that receive HUD funding with the data and tools that will help them to meet long-standing fair housing obligations in their use of HUD funds. This rule clarifies and simplifies existing fair housing obligations for HUD grantees to analyze their fair housing landscape and set locally-determined fair housing priorities and goals through an Assessment of Fair Housing (AFH).

The City must provide opportunities for community participation throughout the development of the AFH. At a minimum, the City will:

1. Make the HUD-provided data and any other data to be included in the AFH available to its residents, public agencies, and other interested parties;
2. Publish the proposed AFH in a manner that affords residents and others the opportunity to examine its content and submit comments;
3. Conform to all civil rights related program requirements concerning outreach to residents with disabilities and to the Limited English Proficiency (LEP) population;
4. Provide for at least one public hearing during the development of the AFH; and
5. Provide a period of not less than 30 calendar days to receive comments from residents.

The draft Assessment of Fair Housing report will be presented to City Council for approval before it is submitted to HUD.

## TECHNICAL ASSISTANCE

Technical assistance may be requested in writing by neighborhood organizations, advisory groups, project area organizations, groups of low- and moderate-income persons and/or groups of residents of blighted neighborhoods/communities.

This assistance may be requested for the purposes of adequately participating in planning, implementing and assessing the programs, developing proposals for funding, and/or in carrying out CDBG/HOME/ESG Program activities. The level and type of necessary assistance will be determined by the City. If necessary, assistance will be provided by specialists selected by the City.

All written correspondence requesting technical assistance should be addressed to the Community Development Division. All requests should specify the name of the group or organization, a contact person, the nature of technical assistance requested, immediate problems and the reason for the request.

# RESIDENTIAL ANTI-DISPLACEMENT & RELOCATION ASSISTANCE PLAN

*Adapted from Appendix 34 HUD URA Handbook 1378 CHG-11*

This Residential Anti-displacement and Relocation Assistance Plan (RARAP) is adopted by the City of Colorado Springs, Colorado, Community Development Division (CDD), in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 and is applicable to CDBG and/or HOME-assisted projects.

## ***Minimize Displacement***

Consistent with the goals and objectives of activities assisted under the Act, CDD will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- Provide technical assistance to subrecipients in order to ensure compliance with URA and Section 104(d) requirements.
- Require subrecipients to stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
- Require subrecipients to arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
- Where feasible, give priority to rehabilitation of housing, as opposed to demolition, to avoid displacement.
- If feasible, demolish or convert only dwelling units that are not occupied or vacant occupiable dwelling units, especially those units which are “lower-income dwelling units” (as defined in 24 CFR 42.305), or structures that have not been used for residential purposes.

## ***Relocation Assistance to Displaced Persons***

CDD or its subrecipients will provide relocation assistance for lower-income tenants who, in connection with an activity assisted under the CDBG and/or HOME programs, 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.

### ***One-for-One Replacement of Lower-Income Dwelling Units***

CDD or its subrecipients will replace all occupied and vacant occupiable lower-income dwelling units demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the CDBG and/or HOME programs in accordance with 24 CFR 42.375.

Before entering into a contract committing CDD to provide funds for a project that will directly result in demolition or conversion of lower-income dwelling units, CDD will make public by publishing in a newspaper of general circulation, and submitting an affidavit of publication to the HUD Field Office, the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower-income dwelling units that will be demolished or converted to a use other than as lower-income dwelling units as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. To the extent known, the address, number of lower-income dwelling units by size (number of bedrooms) and location on a map of the replacement lower-income housing that has been or will be provided;
5. The source of funding and a time schedule for the provision of the replacement dwelling units;
6. The basis for concluding that each replacement dwelling unit is designated to remain a lower-income dwelling unit for at least 10 years from the date of initial occupancy; and
7. Information demonstrating that any proposed replacement of lower-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the Community Development Division's HUD-approved Consolidated Plan and 24 CFR 42.375(b).

To the extent that the specific location of the replacement dwelling units and other data in items 4 through 7 are not available at the time of the general submission, CDD will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

## ***Replacement not Required Based on Unit Availability***

Under 24 CFR 42.375(d), CDD 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.

## ***Contacts***

CDD and its subrecipients are responsible for tracking the replacement of lower income dwelling units and ensuring that they are provided within the required period.

CDD and its subrecipients are responsible for providing relocation payments and other relocation assistance to any lower-income person displaced by the demolition of any dwelling unit or the conversion of lower-income dwelling units to another use.

CDD can be contacted at the following number: 719-385-5912. Citizens who are deaf and hard of hearing may dial 711 or 800-659-3656 Relay Colorado (Voice) or 800-659-2656 (TTY). CDD may refer displaced persons to the outside agencies directly responsible for individual projects.

## **AVAILABILITY TO THE PUBLIC**

All public information related to the citizen participation plan, the Assessment of Fair Housing (and its predecessor, Analysis of Impediments to Fair Housing), the five-year consolidated plan and/or annual plan, substantial amendments and performance report is available for review, during regular business hours, at the Community Development Division, Suite 604, 30 South Nevada Avenue, Colorado Springs, CO 80903, City Hall, Community and Senior Centers, Penrose Library and on the City's website at [www.coloradosprings.gov/communitydevelopment](http://www.coloradosprings.gov/communitydevelopment).

The City also offers, to all non-speaking English persons and upon written request, translated versions of all public hearing notices. Non-English speaking persons who desire translated public notices should formally request these items from the Community Development Division during regular business hours. This Citizen Participation Plan is currently printed in English and in Spanish.

## **SECTION 504 – POLICY OF NON-DISCRIMINATION**

In accordance with the requirements of Title II of the Americans with Disabilities Act of 1990 ("ADA"), the City of Colorado Springs (City) will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs, or activities.

## ***Employment***

The City does not discriminate on the basis of disability in its hiring or employment practices and complies with all regulations promulgated by the U.S. Equal Employment Opportunity Commission under Title I of the ADA.

***Effective Communication:***

The City will generally, upon request, provide appropriate aids and services leading to effective communication for qualified persons with disabilities so they can participate equally in City's programs, services, and activities, including qualified sign language interpreters and other ways of making information and communications accessible to people who have speech, hearing, or vision impairments.

Anyone requiring an auxiliary aid or service for effective communication to participate in a program, service, or activity should make the request as soon as possible but no later than 48 hours before the scheduled event.

***Modifications to Programs and Services:***

The City will make all reasonable modifications to policies and programs to ensure that people with disabilities have an equal opportunity to enjoy all of its programs, services, and activities. For example, individuals with service animals are welcomed in City offices, even where pets are generally prohibited.

The ADA does not require the City to take any action that would fundamentally alter the nature of its programs or services, or impose an undue financial or administrative burden.

Concerns that a program, service, or activity of the City of Colorado Springs is not accessible to persons with disabilities should be directed to:

***Via [coloradosprings.gov](http://coloradosprings.gov)***

[Online Reporting](#)

[Download the Mobile App](#)

***Via regular mail:***

ADA Title II Coordinator  
City of Colorado Springs  
30 South Nevada Avenue, Suite 603  
Colorado Springs, CO 80903

***Via telephone to:***

ADA Title II Coordinator - 719-385-5657



### ***Via Relay Colorado (Deaf and Hearing Impaired Citizens):***

Contact the City via Relay Colorado: 1-800-659-3656 (voice) or 1-800-659-2656 (TTY). You may also Dial 711 throughout the United States to reach all Telecommunications Relay Services; there is no service fee, only applicable charges if calling long distance.

The City will not place a surcharge on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing auxiliary aids/services or reasonable modifications of policy, such as retrieving items from locations that are open to the public but are not accessible to persons who use wheelchairs.

## **ACCESS TO RECORDS**

Citizens, public agencies, and other interested groups will be given reasonable and timely access to the Consolidated Plan, substantial amendments, the performance report, and other information and records regarding the Consolidated Plan and use of funding during the preceding five (5) years. Program records are available for citizen review at the Community Development Division, 30 South Nevada Avenue, Colorado Springs, CO 80903 and on the City's website at [www.coloradosprings.gov/communitydevelopment](http://www.coloradosprings.gov/communitydevelopment). Such documents include the following:

- Proposed and final five-year Consolidated Plan
- Proposed and final Annual Action Plans
- Substantial Amendments
- Performance Reports
- Citizen Participation Plan
- Records of public hearings and public meetings

## **COMPLAINT PROCESS**

Public complaints will be received in writing, via email and orally at public hearings about the City's citizen participation process, the Five-Year Consolidated Plan, Assessment of Fair Housing, Annual Action Plan, any amendments and the Consolidated Annual Performance and Evaluation Report. Complaints will receive careful consideration and will be answered in writing within fifteen (15) working days of receipt of the complaint. If the complainant is unable to file a complaint due to disability, alternative filing methods will be allowed. Written complaints should be sent to the Community Development Division:

- Via telephone at (719) 385-5912
- Through e-mail at [communitydevelopment@springsgov.com](mailto:communitydevelopment@springsgov.com)
- In writing at 30 South Nevada Avenue, Suite 604, Colorado Springs, CO 80903.



## SECTION 108 LOAN PROGRAM

Applications for assistance filed by the City for Section 108 loan guarantee assistance authorized under HUD regulation 24 CFR Part 570, Subpart M, are subject to all provisions set forth within the Citizen Participation Plan. Such applications for Section 108 loan guarantees may be included as part of the process for obtaining CDBG/HOME/ESG entitlement funds, or may be undertaken separately anytime during the program year. The required public hearing to inform citizens of program requirements will be carried out by the Community Development Division.

We are pledged to the letter and spirit of U.S. policy for the achievement of equal housing opportunity throughout the Nation. We encourage and support an affirmative advertising and marketing program in which there are no barriers to obtaining housing because of race, color, religion, sex, handicap, familial status, or national origin.

