



CITY OF ENCINITAS

**CITIZEN AND COMMUNITY PARTICIPATION PLAN FOR PROGRAMS
FUNDED UNDER THE DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT'S OFFICE OF COMMUNITY AND PLANNING**

SEPTEMBER 20, 2017

(Updated March 2020, June 2020)

INTRODUCTION

The City of Encinitas receives annual entitlement funds for the Community Development Block Grant (CDBG) program from the U.S. Department of Housing and Urban Development (HUD) for housing and community development activities to assist low-income persons. The City is also a member of the San Diego HOME Investment Partnership Program (HOME). As required by HUD regulation [24 CFR 91.105](#), the City must develop and follow a detailed Citizen Participation Plan that specifies the City's policies and procedures for engaging citizens and entitlement grant beneficiaries to participate in creating, evaluating, and implementing the CDBG program, including the Assessment of Fair Housing (AFH), and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing, the Consolidated Plan, the Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report.

In addition, HUD Final Regulations for the AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing, require the City to adopt a Community Participation Plan setting forth the City's policies and procedures for the community participation, solicitation of views, and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes.

This Citizen and Community Participation Plan (CCPP) serves to meet the federal requirements described above concurrently.

PROPOSED AMENDMENT TO THE CITIZEN AND COMMUNITY PARTICIPATION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

Emergency Policies and Procedures Related to Infectious Disease Response

In response to the COVID-19 pandemic, on March 31, 2020, April 9, 2020 and April 10, 2020, HUD published memorandums of available regulatory waivers related to the Consolidated Plan. The regulatory waiver is intended to prevent the spread of COVID-19 and facilitate assistance to households and businesses economically impacted by COVID-19.

Among the waivers offered by HUD for the oversight and implementation of programs and activities specifically related to the prevention, response, or recovery related to coronavirus are (1) the reduction of the public comment period for substantial amendments to the Consolidated Plan and specific fiscal year Annual Action Plans from 30 days to 5 days, and (2) allowing for virtual public hearings in lieu of in-person public hearings.

The City is proposing to amend its Citizen and Community Participation Plan to include emergency policies and procedures in response to the COVID-19 pandemic which will:

1. Reduce the required public comment period for substantial amendments from a minimum of 30 days to no less than five (5) days.
2. Provide for virtual public hearings where in-person public hearings are not required, and virtual public hearings will be held if:
 - a. National/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and

- b. Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

These emergency policies and procedures will apply to substantial amendments made to the FY 2015-2019 Consolidated Plan and related documents through June 30, 2021.

In accordance with 24 CFR 91.105(c)(3) for local governments and HUD waiver published April 9, 2020, the public notice for the Substantial Amendment for the Citizen and Community Participation Plan was published on June 12, 2020 in a local newspaper and on the City's website. The substantial amendment to Citizen and Community Participation Plan was available for public review and comment from June 12, 2020 to June 19, 2020 on the City of Encinitas Website at <https://www.encinitasca.gov/>. The City Council is scheduled to consider the substantial amendment to the Citizen and Community Participation Plan on June 24, 2020. Some or all, of the Encinitas City Council Members may attend this meeting remotely.

The public notice for the public hearing and public review and comment period will be included in the Final Substantial Amendment. All public comments received will be included in the Final Substantial Amendment to the Citizen and Community Participation Plan.

Citizen and Community Participation Policies

The primary goal of the City of Encinitas CCPP is to solicit views and recommendations from members of the community, organizations, and other interested parties and to incorporate the views and recommendations in the decision-making process. To accomplish this goal, the CCPP will:

- Encourage participation from residents in the development and preparation of the Consolidated Plan, Annual Plan, AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing, substantial amendments to these plans, and the CAPER.
- In the development of the Consolidated Plan and AFH and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing, encourage the involvement by low-moderate income persons, particularly those who reside in CDBG targeted neighborhoods, areas designated as a slum and blighted, people with disabilities, racial and ethnic minorities, non-English speaking and limited English proficient (LEP) persons, and residents of public and assisted housing developments
- In the development and implementation of the Consolidated Plan, AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing, encourage participation from Continuums of Care, businesses, developers, nonprofit organizations, philanthropic organizations, community-based and faith based organizations, public housing agency consultations, and resident advisory boards
- Provide residents reasonable and timely access to information, meetings, and records.
- Provide residents the opportunity to review, offer input and feedback regarding the use of CDBG funds and comment on the Action Plan, Consolidated Plan, AFH, and CAPER.
- Provide assistance for non-English-speaking and LEP persons upon advance request, provided such services are available.

- Use comprehensive techniques to encourage and measure public participation and review program performance.
- Provide reasonable accommodations for those with disabilities upon advance request.

Assessment of Fair Housing Data

As part of the AFH, the City will gather and analyze historical and existing fair housing conditions data to assist in developing the goals required to affirmatively further fair housing and in the development of the Consolidated Plan. The City shall make available to the public, residents, public agencies, and other interested parties any HUD-provided data and other supplemental information the City plans to incorporate into the AFH and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing, at the start of the public participation process (or as soon as feasible). The City may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website.

AFH-Associated Consultation

The City will consult with other public and private agencies that provide assisted housing, health services, and social services, including those persons with HIV/AIDS and their families, and homeless persons. During preparation of the AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing the City will consult with community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws, as well as consult with public housing authorities (PHAs) operating in the region. Additionally, the consultation process will include regional government agencies, and other CDBG entitlement jurisdictions in the County of San Diego.

Development of Required Plans

As an entitlement jurisdiction, the City of Encinitas is required to prepare:

- A Five-Year Consolidated Plan.
- An Annual Action Plan.
- A Consolidated Annual Performance and Evaluation Report.
- Assessment of Fair Housing (AFH) Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing.

An application for funding is available each year and made available to prospective applicants. The application is made available in hard copy and fillable PDF format. Application information is posted to the City's website and published in a local publication of general circulation. The anticipated funding available is included in the application.

The City will make a concerted effort to notify residents, social service providers, business groups, nonprofit organizations, community and faith based organizations, and community boards and other interested organizations of the development of the Consolidated Plan, Annual Plans, AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing through mailings, including electronic mail, online postings, and notices in the newspaper.

The City will issue a Notice of Funding Availability inviting proposals for CDBG activities. Upon request, the City will provide technical assistance to groups representing low-moderate income persons to develop proposals for eligible activities and comment on the AFH and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing.

The City will make available any HUD-provided data and other supplemental information the grantee plans to incorporate into its AFH and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing at the start of the public participation process (or as soon as feasible after).

Prior to adoption of the Plan(s), the City will make available the estimated amount of CDBG funding that it expects to receive, the activities that may be undertaken, the estimated amount of funds that will be used to benefit low-moderate income persons, and any activities that may result in displacement.

The City will publish a summary of the proposed Plan(s) and/or AFH and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing in the newspaper and have it available on the City's website for a period of 14 days prior to a public meeting. The summary will describe the contents and purpose of the Plan(s) and/or AFH and include a list of the locations where the plans may be examined. The Plan(s) and/or AFH will be available for review at Encinitas City Hall, on the City's website, at the Encinitas and Cardiff Libraries, and at the Encinitas Community Center. The City will provide a reasonable number of free copies to citizens and groups upon request.

Public Hearings

- The City will conduct a minimum of two public City Council hearings each year to obtain residents' reviews regarding housing and community development needs, proposed allocation of CDBG funds, strategies and actions taken to affirmatively further fair housing, and review program performance.
- The City will conduct at least one public City Council hearing during the development of the AFH and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing prior to publishing the AFH for public comment.
- The City will conduct at least one City Council public hearing during the development of the Consolidated Plan prior to publishing the Consolidated Plan for public comment.

Public Notices and Review Periods

The City will employ multiple methods to inform residents, entitlement grant beneficiaries, local government officials, housing and community development officials and others about public meetings, public hearings, and comment periods. The available methods are listed below; not all shall be used for each meeting but will be implemented as City staff deems appropriate in relation to the action being considered.

- Press release announcing the public forums, public hearings and review and comment periods.
- Notification on the City's website, and related social media websites.
- Publication in The Coast News and/or other pertinent local neighborhood newspapers, as available.

- Flyers announcing the public forums in hard copy at City Hall and local libraries and community center(s).
- Direct notification to residents and organizations currently being affected by the City's CDBG funds, either through direct funding or through City-sponsored programs.
- Direct notification (mail, e-mail, newsletter or flyers) to groups and/or organizations and individuals who have expressed an interest or whom the City identifies as having a greater potential interest, such as disabled persons, minorities, seniors, youth, etc.
- Notice/distribution to include City Council Offices and/or another City Departments.
- Posting in courtyard at City Hall.
- Other news or media sources.

Notices for public hearings shall be publicized with a minimum of 14 days advanced notice.

The City of Encinitas shall provide reasonable public comment periods as set forth below to ensure that all interested parties have sufficient time to examine the contents of any of the standard documents and submit written comments prior to finalization. City staff shall provide a meaningful, written reply to written public comments within 15 days, when practicable. A summary of the written and public hearing comments and a summary of all comments not accepted and their reasons for dismissal will be attached to final documents and presented to the City Council for consideration. Standard documents shall be available for public review at the City's website www.encinitascagov.gov, at City Hall and public libraries during the comment period.

Document	Public Review and Comment Duration
Consolidated Plan	30 Calendar Days
Annual Action Plan	30 Calendar Days
CAPER	30 Calendar Days
Substantial Amendment	30 Calendar Days

Substantial Amendments

A substantial amendment is defined as a change to previously adopted Consolidated Plan or Annual Action Plan that:

- Increases or decreases by 25% of the annual amount allocated to a funding category as listed below:
 - Public Services
 - Planning and Administration
 - Capital Improvements
- Makes a significant change to an activity's proposed location, beneficiaries or persons served; or
- Provides funds for a new activity not described in the Annual Action Plan; or
- Adds or eliminates a goal or priority from the Consolidated Plan.

A substantial amendment to the previously adopted AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing includes:

- Resulting from a material change in circumstances in the City of Encinitas or the San Diego Region affecting the information on which the AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing was 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 (for instance, a significant changes that impacts the City's ability to carry out the AFH, such as new significant contributing factors, civil rights findings, a substantial change in demographic data used, a Presidentially declared disaster, etc.); or

- Resulting from a written notification provided by HUD identifying a material change that HUD believes warrants revisions to the AFH, and/or Analysis of Impediments to Fair Housing (AI) and/or other statutorily required plan to address Fair Housing.

Substantial amendments must be authorized by the City Council. Minor amendments are changes that do not constitute a substantial amendment and may be processed by staff without public review or a public hearing. HUD will be formally notified of substantial amendments after the City Council's approval.

Technical Assistance

The City will host one public workshop each year, prior to opening the annual funding cycle, to provide technical assistance and background information to interested and potential applicants. The City will also work with individuals or groups which represent lower-income persons to develop proposals for funding assistance under the CDBG Program.

Displacement Policy

As part of its Citizen and Community Participation Plan, the City must maintain a displacement policy. Displacement refers to the involuntary relocation of individuals from their residence due to housing development and rehabilitation paid for with federal funds. The City will continue to use existing federal and State relocation guidelines, as applicable, to minimize displacement and to alleviate the problems caused by displacement.

The City of Encinitas shall strive to avoid or minimize the displacement of individuals as a result of HUD funded activities. Therefore, to the greatest extent possible, the City shall:

- Consider the impact of displacement in site selection, during the project planning phase.
- Provide information to displaced individuals on available assistance and relocation benefits.

Prior to approval of any HUD funded activity with the potential for temporary or permanent displacement of individuals, the responsible agency (City or private developer) must provide a written plan for comparable replacement low-income housing and assistance to displaced persons, based on the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), [49 CFR part 24](#).

Access to Records

Encinitas residents, public agencies, non-profit organizations, and other interested parties are provided with reasonable and timely access to local meetings, information, and records relating to the proposed, actual, and past use of funds covered by this Citizen and Community Participation Plan.

Standard documents are available for public review at Encinitas City Hall at 505 S. Vulcan Avenue, Encinitas, California, 92024 and on the City's website www.encinitasca.gov. Standard documents include:

- *The Consolidated Plan*
- *The Assessment of Fair Housing (Analysis of Impediments to Fair Housing or other statutorily required plan to address Fair Housing)*
- *The Annual Action Plan*
- *The Consolidated Annual Performance and Evaluation Report*
- *Substantial Amendments to any of the listed documents*
- *Citizen and Community Participation Plan*

All standard documents are maintained and accessible for a period of five (5) years as required by Consolidated Plan Regulations [\[24 CFR 91.105\(h\)\]](#). These documents are provided, when requested, in an accessible format to persons with disabilities, and may be translated for non-English speakers if deemed feasible.

Comments and Complaints

The federal government has given the Mayor and City Council sole responsibility and authority to develop and implement the Consolidated Plan program within HUD regulated guidelines. Written comments, complaints, concerns, or questions addressed to the City of Encinitas will receive a meaningful and substantive reply generally within 15 days, when practicable. Copies of the complaints, along with the City's response will be sent to HUD if they occur outside of the Consolidated planning process and, as such, do not appear in the Consolidated Plan. Complaints should be submitted to:

Nicole Piano-Jones, Management Analyst
City of Encinitas - Development Services Department
505 S. Vulcan Ave, Encinitas, CA 92024
(760) 943-2237

Persons wishing to contact the Los Angeles Area HUD Office may address correspondence to:

U.S. Housing and Urban Development
C/o Rufus Washington , Director
Community Planning and Development Division
300 N. Los Angeles Street, Suite 4054
Los Angeles, CA 9001

