

City of Seattle

Citizen Participation Plan

Introduction

The purpose of the Citizen Participation Plan, required by the U.S. Department of Housing and Urban Development (HUD), is to adopt policies and procedures for public engagement as a prelude to the allocation and expenditures of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) funds. The policies outlined in this plan build on extensive community engagement and public processes already in practice by the City of Seattle.

HUD requires several planning documents be developed by grantees to aid in the process of identifying affordable housing and community development priority needs, and to assist with establishing goals and strategies to address those needs. The *Assessment of Fair Housing (AFH)* identifies local and regional fair housing issues and sets goals for improving fair housing choice and access to opportunity. The *Consolidated Plan* is designed to analyze housing and community development market conditions, which form the basis for data-driven, place-based investment decisions. The planning process serves as the framework for a community-wide dialogue to identify priorities that align with anticipated financial resources. The Consolidated Plan is carried out through *Annual Action Plans*, which provide a summary of actions, projects, and specific federal and non-federal resources that will be used each year to address the priority needs and goals identified by the Consolidated Plan. The City reports annually on accomplishments and progress toward the Consolidated Plan and AFH goals in the *Consolidated Annual Performance and Evaluation Report (CAPER)*.

To be most effective, citizen participation and consultation must be an ongoing process. To that end, this Citizen Participation Plan outlines opportunities for citizen engagement at all stages of the funding process including the development and any revisions of the Assessment of Fair Housing, the Consolidated Plan and any substantial amendments, Annual Action Plans, and performance reporting done through the CAPER.

Participation by Low and Moderate-Income and other Disadvantaged Persons

It is the policy of the City of Seattle to provide equitable access and encourage meaningful participation from all residents in the city. This includes low- and moderate-income persons, particularly those living in blighted or high poverty neighborhoods, and areas where CDBG funds are proposed to be used in the Consolidated Plan and Assessment for Fair Housing. For purposes of CDBG funding, a resident is considered low-income if their family income equals 50% or less of area median income (AMI), as estimated annually by HUD. A person is considered moderate-income if their family income is between 50% and 80% of area median income. Predominately low-to moderate-income neighborhoods are defined as any neighborhood where at least 51% of the residents have incomes equal to or below 80% of the AMI for any given year. The determination of whether a neighborhood meets the low-to moderate income definition is made by the city at the time a project of area-wide benefit is funded based on current data provided by HUD.

The City also actively encourages participation of minorities or people of color, non-English speaking persons, and persons with differing abilities. Actions to encourage participation shall include wide-spread outreach and public relations efforts, conducting hearings and meetings in target neighborhoods, translation of notices and other vital documents in languages other than English and language assistance as needed, and providing document in formats accessible to persons with disabilities upon request. The Mayor's Communication Office assesses needs for language translation, but assistance shall also be available upon request.

Participation by Relevant Stakeholders

The City will actively encourage participation of local and regional institutions in the process of developing the AFH and Consolidated Plan. Such organizations include but are not limited to the following: Seattle/King County Continuum of Care; business and civic organizations; developers and service providers; philanthropic organizations; and community-based, faith-based and other nonprofit organizations. In the process of developing the Consolidated Plan, the City shall also consult with broadband internet service providers and organizations involved with narrowing the digital divide; agencies involved with management of flood prone areas, public land or water resources; and emergency management agencies.

The City has a strong history of collaboration with the Seattle Housing Authority (SHA). The 2017 Assessment of Fair Housing was jointly developed by the City and the SHA. In partnership with the SHA, the City shall continue to encourage participation from public and assisted housing residents, including participation from resident advisory councils. The City routinely shares information with the SHA about Consolidated Plan projects expected to occur near the Housing Authority's developments and surrounding neighborhoods, to enable SHA to make this information available at its annual public hearings required for the SHA Plan.

Outreach Techniques

The City shall implement a range of public engagement and participation methods such as focus groups, neighborhood meetings, public hearings, electronic and paper-based surveys, social media campaigns and other methods to maximize input from residents and stakeholder groups. The Citizen Participation Plan will be available to the public in electronic form on the City's website with paper copies available at the Seattle Municipal Tower, Department of Human Services, 700 5th Avenue, Suite 5800, Seattle, WA 98104.

Development of the Assessment of Fair Housing

At the onset of the public participation process or as soon as feasible after the start of the process, the City will make all HUD-provided data and other supplemental data being used in the Assessment of Fair Housing planning process available to residents and stakeholder organizations. The City may make the HUD-provided data available to the public by cross-referencing the data on HUD's website.

As described in the Outreach Techniques section above, the City will engage in a variety of ways with key stakeholders and residents to gather input on the Assessment of Fair Housing. As described in the Public Comment and Hearings section below, the City will conduct at least one public meeting during the development of the AFH.

At least 30 calendar days before the Assessment of Fair Housing is submitted to the U. S. Department of Housing and Urban Development, the City of Seattle shall make electronic and paper copies of the AFH available to residents and stakeholders to review and provide comment. The City will publish a summary of the contents of the Assessment of Fair Housing in local newspapers of general circulation and inform all citizens, particularly those affected by the AFH, of the locations where complete copies of the document will be available including on the internet, and at libraries and other public places. The City will provide a reasonable number of free copies of the AFH to citizens and groups that request it.

The City will provide information on how to submit comments and input on the Assessment of Fair Housing as described in the Public Comment and Hearings section below. The City will consider any comments or views of residents received in writing or orally at the public hearings when preparing the final Assessment of Fair Housing. A summary of any comments or views, including those not accepted and the reasons why, shall be attached to the final Assessment of Fair Housing.

Assessment of Fair Housing Revisions

The City shall amend or revise its Assessment of Fair Housing if at least one of the criteria for material change described below is met. The City will complete the revision to the Assessment of Fair Housing within 12 months of the onset of the material change, unless otherwise instructed by HUD.

The criteria for material change includes:

1. A change in circumstances within the City that affects the information on which the Assessment of Fair Housing is based to the extent that the analysis, the fair housing contributing factors, or the priorities/goals of the AFH no longer reflect actual circumstances (e.g. Presidentially declared disaster); or
2. HUD's written notification that a material change is required to the Assessment of Fair Housing

Material changes to the Assessment of Fair Housing will be advertised in local newspapers notifying citizens that copies of all material changes are available at the City of Seattle Human Services Department and on the City's website for review and comment prior to adoption by the Seattle City Council at a public hearing. A public comment period of not less than 30 calendar days shall be allowed prior to implementation of the revisions involving material changes, which aligns with the process set forth in the Public Comment and Hearings section below.

Development of the Consolidated Plan/Action Plan

Prior to adoption of a Consolidated Plan, the City shall make available to residents and stakeholders:

1. The total amount of assistance the city expects to receive from the various HUD funding authorizations;
2. The range of activities that may be undertaken with these funds;
3. The estimated amount of funding that will benefit persons of low-to moderate-income;
4. Plans to minimize displacement of persons, including specifying the type and level of assistance that will be made to any persons displaced; and
5. When and how this information will be made available to the public.

At least 30 calendar days before the Consolidated Plan/Action Plan is submitted to the U.S. Department of Housing and Urban Development, the City shall publish a summary of the contents of the Consolidated Plan/Action Plan in local newspapers of general circulation and inform all citizens of the locations where complete copies of the document will be available, including on the City's website. The City will also provide a reasonable number of free copies of the Plan to citizens and groups that request it.

As described in the Public Comment and Hearings section below, the City will conduct at least one public meeting during the development of the Consolidated Plan. The City shall also provide information on how to submit comments and input on the Consolidated Plan/Action Plan. The City will consider any comments or views of residents received in writing or orally at the public hearings when preparing the final Consolidated Plan/Action Plan. A summary of any comments or views, including any comments or views not accepted and the reasons why, shall be attached to the substantial amendment.

In the event of a public hearing to discuss a Section 108 Loan Guarantee Assistance Application, the City shall provide to citizens:

1. The amount of Section 108 Guaranteed Loan Funds expected to be made available for the coming year, including program income anticipated to be generated by the activities carried out by the Guaranteed Loan Funds;
2. The range of activities that may be undertaken with Section 108 Guaranteed Loan Funds;
3. The estimated amount of Section 108 Guaranteed Loan Funds (including derived program income) proposed to be used for activities that will benefit low and moderate-income persons; and
4. The proposed activities likely to result in displacement and the City's plans, consistent with previously developed policies, for minimizing displacement of persons resulting from its proposed activities.

Consolidated Plan/Action Plan Amendments

The City shall amend its approved Consolidated Plan/Action Plan whenever one of the following decisions have been made:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out a project using funds from any program covered by the Consolidated Plan/Action Plan (including program income) not previously described in the Action Plan; or
3. To change the purpose, scope, location, or beneficiaries of a project.

Consolidated Plan/Action Plan amendments that do not meet the threshold of substantial changes as defined below will be updated in copies of the Consolidated Plan/Action Plan available at the City of Seattle Human Services Department office and on the City's website and will be described in the City's CAPER. Changes to the City's office location, name of the Department, or staff contacts shall not constitute a substantial change.

Substantial Changes

Criteria for which a change would constitute a substantial change, and thereby require formal adoption of an amendment to the associated Consolidated Plan/Action Plan or Section 108 Guaranteed Loan Application, would include one or more of the following conditions:

1. Increasing or decreasing funding levels for a given project by 51% or more of the previously adopted amount.
2. Modification of a project to address a different national objective.
3. Changes in the use of CDBG funds from one eligibility category to another, in accordance with 24 CFR §91.105(c).

This list represents the City's criteria for determining what constitutes a substantial amendment and are subject to the City's citizen participation process.

Substantial changes shall be advertised in local newspapers notifying citizens that copies of the changes are available at the City of Seattle Human Services Department office and on the City's website for review and comment prior to adoption by the City of Seattle at a public hearing. A public comment period of not less than 30 calendar days shall be allowed prior to implementation of substantial amendments, which will align with the process set forth in the Public Comment and Hearings section below. The City will consider any comments or views of residents received in writing or orally at the public hearings prior to adoption of substantial amendments. A summary of any comments or views, including any comments or views not accepted and the reasons why, shall be attached to the substantial amendment.

The City will ensure that any amendments to the Consolidated Plan/Action Plan are consistent with its certification to affirmatively further fair housing and the analysis and strategies of the City's Assessment of Fair Housing.

Disaster response exempt from Substantial Amendment process

Criteria for which a change would **not** constitute a substantial change, and thereby waive requirements for formal adoption of an amendment to the associated Consolidated Plan/Action Plan or Section 108 Guaranteed Loan Application, include events that qualify as a type of disaster. For example, The City

could redirect existing funds and/or programs in a local urgent need response. Likewise, in the event of a state and/or federal designated disaster in Seattle, the City could apply for new CDBG-Disaster Recovery grants. In general, to ensure disaster recovery grants are awarded in a timely manner, provisions of 42 U.S.C. 5304(a)(2) and (3), 42 U.S.C. 12707, 24CFR 570.486, 91.105(b) and (c), and 91.115(b) and (c), with respect to citizen participation requirements, are waived via Federal Register Notice (<https://www.hudexchange.info/cdbg-dr/cdbg-dr-laws-regulations-and-federal-register-notices/>)

1. HUD criteria used to qualify local “urgent needs” e.g., events of “particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community for which other funding is not available” found at *24 CFR 570.483(d)*;
2. Federal Emergency Management Agency criteria used to determine eligibility for assistance after “the emergency or major disaster event” can be found at 44 CFR 206.221-223;
3. City actions that could impact Consolidated Plan funds will be consistent with officially adopted emergency management and disaster recovery plans (see <http://www.seattle.gov/emergency-management> for more detail);
4. The City will notify HUD five (5) days before implementing changes or amendments to the Consolidated Plan and/or Action Plan, but is not **required** to undertake public comment; and
5. The City will make reasonable efforts to provide public opportunity for comment about changes using the criteria documented in the “Waiver Process” section below.

Performance Reports

Each year a performance report is submitted to the U. S. Department of Housing and Urban Development by the City of Seattle. The City shall invite and encourage all citizens and stakeholder organizations to assess and submit comments on all aspects of performance in meeting Consolidated Plan goals and objectives, including the performance of the City of Seattle’s grantees and contractors. The City will provide notice in local newspapers on the opportunity to comment on the performance report for a period of not less than 15 calendar days prior to its submission to HUD. All comments received in writing or orally will be considered in preparing the final Consolidated Annual Performance and Evaluation Report (CAPER). A summary of all comments or views shall be submitted as part of the report to HUD. The City will provide copies of the performance report at the City’s office and on its website.

Reasonable and Timely Access

All hearings carried out in furtherance of this Plan will be held at times and locations convenient to beneficiaries and allow for broad participation from all community members. Public hearings will be held at City Hall at 601 5th Avenue in downtown Seattle during normal business hours. City Hall and associated parking are ADA compliant. City Council Chambers has a hearing loop system to accommodate for hearing disabilities and provisions of signing can be made as requested. The hearings are also televised and archived on the City’s website.

Notices of all public hearings shall be widely advertised by placing ads in local newspapers and on the City’s officially designated public notice site not less than 14 calendar days prior to each public hearing. All notices of public hearings shall indicate the location, date and time of the meeting; and shall indicate the topics to be considered. The newspaper ad shall be headed in bold type:

**PUBLIC HEARING NOTICE
CITY OF SEATTLE
CONSOLIDATED PLAN/ACTION PLAN *or* ASSESSMENT OF FAIR HOUSING**

Public Comments and Hearings

Prior to publishing the Assessment of Fair Housing and the Consolidated Plan/Action Plan for citizen comment, or submission of an application for Section 108 Loan Guarantee Assistance, the City shall conduct at least one public hearing to obtain citizens views on fair housing strategies, community development and housing needs, proposed projects, and program performance. A digest of comments and proposals received from citizens shall be compiled by the City. Following publication of summaries of the AFH and Consolidated Plan/Action Plan, the City will receive comments for a period of 30 calendar days. These comments will be considered prior to implementation of the plans.

All public hearings shall provide residents with reasonable and timely access to the meetings as described in the section above and consistent with accessibility and reasonable accommodation requirements found in Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, and with regulations found at 24 CFR Part 8 and 28 CFR Parts 35 and 36.

The City will consider any comments or views of residents received in writing or orally at the public hearings when preparing a final or revised/amended plan. A summary of any comments or views, including those not accepted and the reasons why, shall be attached to the final or revised/amended plan.

Participation by Non-English-Speaking Citizens

In the event a significant number of non-English speaking citizens are expected to attend any of the public hearings scheduled in furtherance of this Plan, or participate in a survey or other activities, the City will arrange to provide language assistance to ensure meaningful access and participation of interested parties. For assistance, please contact City staff by telephone at 206-386-1001, or by mail at:

City of Seattle
Human Services Department
P.O. Box 34215
Seattle, WA 98124

Public Access to Records

The City of Seattle Human Services Department, located at 700 5th Avenue, Suite 5800, Seattle, WA, shall provide residents, public agencies, and any interested parties access to the records listed below at any time during normal business hours. Materials shall also be provided in a form accessible to persons with different abilities or limited English proficiency, upon request.

1. Citizen Participation Plan;
2. Consolidated Plan and Annual Action Plans, including any substantial amendments;
3. Assessment of Fair Housing, including any revisions;

4. Consolidated Annual Performance and Evaluation Report (CAPER);
5. Section 108 Loan Guarantee information and records, as applicable;
6. Records of hearings, program documents such as letters of approval, and current agreements;
7. Copies of regulations that govern the programs and assurances made in connection therewith; and
8. Documents pertaining to other program requirements, such as contracting procedures, environmental requirements, fair housing and other equal opportunity requirements.

Technical Assistance

It is the policy of the City to ensure all groups that request assistance in developing proposals for any programs covered by the Consolidated Plan and AFH receive technical assistance, particularly those groups representative of low- and moderate-income persons. Staff from the Seattle Human Services Department will be present at public meetings and available during business hours to provide technical assistance to groups in understanding program requirements, such as Davis-Bacon Wage provisions, environmental policies, equal opportunity regulations and relocation requirements. Technical assistance may be provided directly by City personnel or through contracted consultants; and may include assistance such as the provision of data or help in the preparation of printed material such as handouts and notices to assist citizens or groups with presenting information on the program to their members.

Complaints and Grievances

All citizens' complaints and grievances presented verbally will be answered by Seattle Human Services Department staff at the time presented, or answered in writing, as necessary. All requests for information, complaints or grievances presented in writing and forwarded to the attention of:

City of Seattle
Human Services Department
P.O. Box 34215
Seattle, WA 98124

will receive a written response from Seattle Human Services Department staff not later than 15 work days from the date the complaint is received, whenever practicable. Responses may be appealed in writing to the Human Services Department staff within 10 work days of receipt of the response.

Waiver Process

Upon determination of good cause, the U. S. Department of Housing and Urban Development has the authority to waive certain regulatory provisions of the CDBG, HOME, ESG and HOPWA programs subject to statutory limitations.

Examples of good cause for such waivers:

- Presidential disaster declarations under Title IV of the Stafford Act represent one example of good cause for such waivers.

- The City of Seattle may seek a waiver to its citizen participation process, in emergency situations when expedited assistance offered through Consolidated Plan/Action Plan covered programs is deemed necessary by the Mayor
- HUD issues notices to waive deadlines for submission and reduction of public comment periods.

Following HUD issuance of waiver notices or approval of a waiver requests, the City reserves the right to amend the Citizen Participation Plan comment period as follows:

1. A reduction in the public comment period for Consolidated Plan/Action Plan substantial amendments from 30 calendar days to seven calendar days, and
2. A reduction in the public comment period from 30 calendar days to seven calendar days in the event of a local “urgent needs” emergency or state/federally declared disaster; and
3. Flexibility in determining what constitutes reasonable notice and opportunity to comment.