

RESIDENT PARTICIPATION PLAN

RESIDENT PARTICIPATION PLAN 24 CFR 91.105 & Section 91.100(c)(2)



CITY OF RAPID CITY COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

City of Rapid City
300 Sixth Street
Rapid City, South Dakota 57701-2724
Phone (605) 394-4181

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RESIDENT PARTICIPATION PLAN

FOR THE CITY OF RAPID CITY

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I. INTRODUCTION

The City of Rapid City utilizes the programs of various Federal and State agencies, including the U.S. Department of Housing and Urban Development to implement housing and community development related activities and recognizes the legal obligation to adopt a resident participation plan that sets forth the City's policies and procedures for resident participation and encouragement for their participation by providing adequate information to residents regarding those programs through which it may seek funding.

Therefore, the City will insure that adequate information is provided to local residents to evaluate various proposals. The City will create and maintain a proper forum to obtain input and reviews on housing and community development related issues.

The City receives an annual Community Development Block Grant (CDBG) allocation from the HUD, resulting from its classification as an "entitlement" community. The City is also eligible to apply for supplemental funds under the Section 108 Loan Guarantee Program. The City may exercise its option to apply for Section 108 Loan Guarantee Program funding, and in so doing, will follow the procedures outlined in this Resident Participation Plan. From time to time, the City may also apply for other forms of financial assistance in support of housing and community development initiatives including federal HOME Investment Partnerships (HOME) funds, Emergency Solutions Grants (ESG) funds, and Continuum of Care (CoC) funds. In these circumstances, the City will follow the procedures outlined in this document.

The City believes that persons affected by public action should have a voice in policy formulation. Although the various housing and community development related activities are designed to have a long term beneficial effect on the community, these activities may also have an adverse impact on some individuals. Therefore, it is important that residents know what is being planned and given an opportunity to present their views. Residents can use this information to become involved in the community process that shapes the local use of these Federal funds for local projects that benefit low-to-moderate income and homeless people in our community.

Projects funded may include high priority CDBG eligible activities to include, but not limited to:

- Acquiring property for new construction or rehab of existing housing or public facilities to benefit low-to-moderate income people,
- Infrastructure improvements,
- Rehabilitation or renovation of aging housing stock or public facilities,
- Revitalization of neighborhoods,
- Providing human services for those in need,
- Emergency housing and services for the homeless or domestic violence victims, and
- Economic opportunities for low-and-moderate income residents.

II. WHAT IS THE RESIDENT PARTICIPATION PLAN?

A Resident Participation Plan details how the residents of Rapid City can be involved in the development and implementation of the City's Consolidated Plan for utilization of funds received from the U.S. Department of Housing and Urban Development (HUD) and/or other state and federal funds.

In order to comply with the spirit of program requirements relative to resident participation, the City has developed this Resident Participation Plan. Generally, the plan is designed to insure the involvement of affected persons and other concerned residents, the openness and freedom of access to information, the adequate and timely presentation of pertinent data, the submission of views and proposals, and the continuity of resident participation through each stage of the planning and execution of CDBG activities. Public participation is also encouraged in the development and revisions of the Assessment of Fair Housing (AFH), the Consolidated Plan, Annual Action Plans (AAP) and Consolidated Annual Performance Evaluation Reports (CAPER) (24 CFR § 91.115(a)(2)(i)).

Consultation [§91.100]

The City recognizes the need to consult and coordinate with appropriate public, nonprofit, and private agencies that provide assisted housing, health services, homeless services, and social and fair housing services, including those focusing on services for children, elderly persons and persons with disabilities, persons with HIV/AIDS and their families, and homeless persons.

Consultations regarding non-housing community development needs, the City shall notify and include the state and local jurisdictions, local public housing agencies participating in an approved Capital Fund Program, and City departments, to assure that its programs and plans are comprehensive and address all statutory requirements.

The City will also confer with social services agencies regarding the housing needs of children, elderly persons, persons with disabilities, homeless persons, and other categories of residents.

The City will consult with the state and local health and child welfare agencies, and examine existing data on lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

The non-housing community development needs will be provided to the state, Pennington County, and the adjacent communities of Box Elder and Black Hawk.

What kind of information does it provide?

At the time the City initiates the process to seek or offer specific funding opportunities, the following program information shall be provided:

- A. The total amount of funds expected to be available to the City for housing and community development activities;
- B. The range of eligible activities that may be undertaken with these funds;
- C. The estimated amount of funds proposed to be used for activities that will benefit low-, very low-, and extremely low-income persons;
- D. The possibility of residential and/or commercial displacement resulting from program implementation and the plans for minimizing such displacement, and;
- E. The types and levels of assistance to be made available to persons displaced by contemplated activities;
- F. Deadline dates and times for applications.

Upon completion and submission of an application for funding to the appropriate agency, the City shall publish a notice in a newspaper(s) of general circulation, if program regulations so require. The notice shall appear in both the *Rapid City Journal* and the *Native Sun News*. The notice will indicate that the application has been submitted and is available to interested parties upon request. The City shall make copies of the appropriate documentation available at the CDBG Program Division page of the City’s website, Located at <https://www.rcgov.org/departments/community-planning-development/cdbg-program-division.html>, the CDBG Program Division office during regular business hours, by telephone at 605-394-4181 or by request in writing to the CDBG Program Division at:

City of Rapid City
 CDBG Program Division
 300 6th Street
 Rapid City, SD 57701

III. ENCOURAGEMENT OF PUBLIC PARTICIPATION [24 CFR 91.105(a)(2)(i)]

The City shall provide for full public access of information pertaining to the CDBG program, or other federal funds, to residents, public agencies, and other interested parties, including those most affected by proposed activities. Affirmative efforts will be made to make adequate information available to residents, especially to those of low-, very low-, and extremely low-income and moderate-income to those residing in slum and blighted areas and in areas where funds from federal or state programs are proposed to be used. The City will also take whatever actions appropriate to encourage the participation of all its citizens and stakeholders, including minorities and non-English speaking persons, as well as persons with disabilities.

Stakeholders [24 CFR 91.105(a)(2)(ii)]

Federal regulations at 24 CFR 91.100 require consultation with public and private agencies when developing and implementing the Consolidated Plan and Assessment of Fair Housing. Local and regional institutions and other organizations, including businesses, developers, non-profit service providers, community and faith-based organizations, and philanthropic

foundations will be included in the process of developing and implementing the consolidated plan and any substantial amendments to it.

Public Housing Agencies [24 CFR 91.105(a)(2)(iii)& 91.100]

The City will consult and encourage participation of the Pennington County Housing and Redevelopment Commission (PCHRC) , their residents, and residents of assisted housing developments, advisory boards, councils, and resident management corporations, along with other low-income residents of targeted revitalization areas in the development of the Consolidated Plan, Annual Action Plans, and Assessment of Fair Housing.

The City will provide information to Pennington County Housing and Redevelopment Corporation and South Dakota Housing Development Authority on the plans and the Consolidated Annual Performance Evaluation Report.

The City provides annual review and certification of the PCHRCs plans are consistent with the City's Consolidated Plan. Pennington County Housing has never been a troubled PHA, but should it have need of financial or other assistance, the City would work with them to develop a plan and identify actions, if any, that are available and eligible for CDBG assistance to improve its operations and remove such designation under remedies for Section 504 Voluntary Compliance to provide accessible units for persons with disabilities.

Public Involvement Techniques [24 CFR 91.105(a)(2)(iv)]

The City will continue to explore and incorporate alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance through focus groups, use of the internet, online and paper surveys, and attendance at other community meetings of all types to hear and record their discussions of community needs and gaps in service.

Opportunities to comment on the information.

The City shall provide for and encourage the submission of residents' views and proposals regarding Community Development Programs; particularly low- and moderate-income persons, residents of identified blighted areas, and residents of public housing.

This includes submission of such views:

- A. directly to the City during the planning period and public comment periods;
- B. at other informal meetings, if scheduled by the City prior to formal public hearings;
- C. at formal public hearings;
- D. at Legal and Finance meetings; and
- E. at City Council meetings.

Legal & Finance and Council meetings provide for public comment prior to discussion and action on agenda items. These meetings may be counted as public hearings. The City shall provide timely responses to all written proposals stating the reasons for the actions taken by the City on the proposal.

Whenever possible, the City will respond within fifteen (15) working days and, whenever practical, responses will be made prior to the consideration and action on the Community Development Program by the City Council of the City of Rapid City.

IV. THE CONSOLIDATED PLAN AND STRATEGY

What is the Consolidated Plan (CP)?

The City's Consolidated Plan evaluates the needs of the community, underserved persons and/or areas of the community, and gaps in services and housing. Consultations with the community and stakeholders provide information and assistance in setting priorities and goals for expenditures of funds for the plan period, which is five (5) years.

The Five Year Consolidated Plan consists of, and is implemented through

- Annual Plans (five (5) annual plans).
 - Each year a Request for Proposals is issued for projects that will address the high priority goals of the plan;
- Consolidated Annual Performance Evaluation Reports (CAPER)
 - At the end of each plan year an evaluation of the expenditures and goal accomplishments is prepared.

The plans and reports are published and public comments and input is sought throughout the process, as described in this Resident Participation Plan.

In addition to the ***Resident Participation Plan***, the Consolidated Plan also incorporates several other studies and plans:

- ***Five Year Strategic Plan*** - sets priorities and goals for addressing community needs for economic development, housing, and the needs of the homeless, persons living in poverty, low-and-moderate income households, and the disadvantaged.
- ***Assessment of Fair Housing*** – This assessment identifies and evaluates local and regional fair housing issues and factors contributing to obstacles to obtaining and retaining fair housing. The City consults with community-based and regionally-based organizations that represent protected class members, and organizations that enforce fair housing laws, such as state or local fair housing enforcement agencies, including participants in the:
 - Fair Housing Assistance Program;

- Fair Housing organizations;
 - Non-profit organizations that receive funding under the Fair Housing Initiative Program; and
 - Other public and private fair housing service agencies, to the extent that such entities operate within our area.
- **Substantial Amendments** to the Action Plans or Strategic Plan – Over the five year period of the plan new high priority issues may surface and some issues may no longer be high priority. The Plan may be amended to include or delete priorities and goals, per this plan.

This plan may be modified at any time by with required public notice, input, and comments from residents of the community and approval of the City Council.

Administrative Responsibilities and Contact Information

The Rapid City Community Resources Department’s Community Development Division staff has the responsibility for administration of the Community Development Block Grant program, including the Consolidated Plan, Annual Action Plans (AAP), Consolidated Annual Performance Evaluation Reports (CAPER), Assessments of Fair Housing (AFH), the Resident Participation Plan and all activities related to the programs and reports.

Additional information may be obtained by contacting:

CDBG Program Division Manager

Michelle Schuelke

333 6th St., Rapid City, SD 57701 (office)

300 6th St., Rapid City, SD 57701 (mail)

(605) 394-4181

Michelle.Schuelke@rcgov.org

Or by visiting the City website:

<https://www.rcgov.org/departments/community-planning-development/cdbg-program-division.html>

V. ASSESSMENT OF FAIR HOUSING (AFH)

What is the Assessment of Fair Housing?

The federal Fair Housing Act and its amendments (FHA) protect people from negative housing actions that occur because of their race, color, national origin, religion, sex, disability, or family status. State fair housing laws cover additional groups: marital status, sexual orientation or gender identity, age, and military/veteran status. Together, these groups are referred to as “protected classes.” Housing practices should not discriminate against or negatively affect these state and federal protected classes. These housing practices would include and follow current rules of the Violence Against Women Act (VAWA) also. The Assessment of Fair Housing (AFH) looks at how our community is doing in carrying out fair housing practices. In addition to complying with the regulations, the Assessment of Fair Housing offers the opportunity to reconsider barriers to housing for protected classes of people, and see what strategies are needed to reduce those barriers. On or before July 5, 2022, the City is required to complete the Fair Housing Assessment to ensure compliance with the Code of Federal Regulations.

The Assessment of Fair Housing will follow all of the procedures mentioned in this document, with the following additions:

- A. The assessment will include, in addition to organizations mentioned earlier, tenant organizations or PHA-related residency resources, realtors, property management companies, and lenders.
- B. The City will consult with other public and private agencies that provide assisted housing, health services, and social services (including those focusing on services for children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, or homeless persons), community-based and regionally-based organizations that represent protected class members, and organizations that enforce fair housing laws.
- C. 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.
- D. Publish the proposed AFH in a manner that affords residents and others the opportunity to examine its content and submit comments.
- E. Provide a period of not less than 30 calendar days to receive comments from residents of the community.
- F. If submitting a revised AFH to HUD, the City will also provide for community participation before the revision is submitted.

Criteria for revision to the AFH [24 CFR 91.105(c)(1)(ii)]

The City shall revise its previously accepted AFH under the following circumstances:

1. A material change occurs. A material change is a change in circumstances in the City 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. A material change includes, but is not limited to:

- A. Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), in the City that are of such a nature as to significantly impact the steps the City may need to take to affirmatively further fair housing;
- B. Significant demographic changes;
- C. New significant contributing factors in the City; and
- D. A civil rights finding, determination, settlement (including Voluntary Compliance Agreements), or court order.

2. Upon HUD's written notification specifying a material change that requires the revision.

VI. PLANNING PROCESS

What is the Consolidated Plan Planning Process?

The planning and preparation of the City's Consolidated Plan, along with the proposed use of annual entitlement funds, shall be carried out in accordance with applicable HUD requirements. The Consolidated Plan will cover a 5-year period. The current plan will expire in March, 2018. The new plan will cover 2018-2022, and every five years thereafter, unless Council approval of a shorter time frame to align with other City plans. Preparation of the plan includes:

- A. Assembly of affordable housing and community development information will be carried out as an on-going, year around process to identify City needs. Prior to preparing the Consolidated Plan, the City will meet with all community stakeholders, non-profit organizations, citizens groups, Public Housing residents, local businesses and agencies and any other interested parties to gather input and comments about community need, gaps in services and options to be considered in setting goals and priorities.
- B. Conduct a public hearing during each consolidated program year to obtain the views of residents and organizations prior to the commencement date (April 1) of the City's consolidated program year. The hearing shall be conducted to solicit resident input for development of the proposed consolidated plan.

- C. Hearings will be conducted at locations and times that provide ease of access for resident attendance. Information presented by those in attendance will be used to identify and prioritize housing and community development needs and plan proposed projects and activities to address said needs.
- D. Conduct public meetings to communicate to the public, nonprofit, and private agencies, local residents, and focus groups proposed housing and community development priorities and needs and allocations of funding preliminarily approved by City Council.
- E. Provide a thirty (30) day review and comment period on the proposed consolidated plan and strategy which include projects and activities to be undertaken with CDBG funds. The public notice shall identify locations where the proposed consolidated plan will be available for resident review. During the review period, residents may provide comments to the City of Rapid City. *See Notice of Hearing and Meeting*
- F. Public comments shall be accepted and considered on the proposed consolidated plan and strategy, and Annual Action Plans during or following the thirty (30) day review and comment period and shall contain a summary of the Proposed Consolidated Plan and/or Annual Action Plan submission. The notice shall also provide the expected dates for action by the Rapid City governing body. All resident comments shall be presented in writing prior to, or in writing or verbally during the public hearing. Adequate time will be reserved to modify the proposed consolidated plan based on resident comment prior to final action of the City Council and submittal of the Consolidated Plan and/or Annual Action Plan to HUD.
- G. Public comments shall be accepted for not less than 15 days prior to final approval of the Consolidated Annual Performance Evaluation Report (CAPER), following the same guidelines as the Consolidated Plan and Annual Action Plans for notification, publication and comment submissions.
- H. The City may act on the consolidated plan and use of entitlement funds at any time following the thirty (30) day review period and second public hearing prior to submittal of the Consolidated Plan, Annual Action Plan or Substantial Amendments to HUD.

VII. RESPONSE TO PROPOSALS SUBMITTED

How will the City respond to proposals submitted?

The City of Rapid City will respond in writing to all proposals submitted verbally or in writing at public hearings or meetings. The City's response to a request for activities or projects shall be made within fifteen (15) days from the date of the hearing or meeting, or prior to the meeting of the City Council to consider approval of the use of annual entitlements funds.

VIII. AMENDMENT PROCESS

Amendments to the Annual Action Plan and/or Five Year Consolidated Plan [24 CFR 91.105(c)(1)(i)]

The City shall amend its approved plan whenever it makes one of the following decisions:

- (1) To make a change in its allocation priorities,
- (2) To make a change in the method of distribution of funds;
- (3) To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or
- (4) To change the purpose, scope, location, or beneficiaries of an activity.

Substantial Amendment §91.105 and § 91.115

A Substantial Amendment would be required for the following actions:

- A. A substantial change to allocation priorities;
A substantial increase or decrease in allocation priorities is defined as:
 - 1) A 50% change in the project, if the project is funded at \$25,000 or less.
 - 2) A 25% change in the project if the project is funded at \$25,001 or more.
- B. To undertake an activity, using program funds, including program income, which was not previously described in an action plan or funding application.
- C. To not carry out an activity for which funding was approved; or
- D. To substantially change the purpose, scope, location or beneficiaries of an activity.

A substantial change is defined as:

- 1) the increase or decrease of more than 25% in the service area and/or
- 2) class of beneficiaries.

A Substantial Amendment requires a public comment period for citizen participation and input. In such instance, the City of Rapid City shall provide residents with reasonable notice of, and opportunity to comment on, such proposed changes in its use of funds. The City will publish a notice in the non-legal section of a paper of general circulation of the proposed substantial program change and give interested or affected residents at least thirty (30) calendar days to submit comments on the amendment, prior to City Council approval for taking such amendment action.

HUD Notification of Amendments (24 CFR § 91.115(c)(1)(i))

The City will notify HUD or the appropriate funding agency of the proposal and provide a description of any changes. The City shall submit to HUD a copy of each Amendment at the time it occurs, or at the end of the program year. Letters transmitting copies of amendments must be signed by the Mayor.

IX. ANTI-DISPLACEMENT POLICY

It is the policy of the City of Rapid City to carry out its Community Development Block Grant Program in a manner that minimizes the displacement of residents and businesses. The City will make every effort, whenever feasible, to not displace residents due to demolition, rehabilitation, or housing conversion by City action. However, in instances where displacement is unavoidable, information on the types and levels of assistance to be made available to persons displaced will be made available through the Community Development Division, who is also responsible for tracking the replacement of lower income housing and ensuring that it is within the scope of the block grant policies.

X. RESPONSIBILITY FOR CONDUCTING HEARINGS OR MEETINGS

Who is responsible for conducting hearings?

The City shall have the responsibility for conducting meetings and hearings relative to the Community Development Block Grant program. The City shall also develop procedures for meetings and hearings. *See Notice of Hearing and Meeting*

XI. NOTICE OF HEARING AND MEETING

What opportunities are there for resident's to provide input and comments?

An initial hearing will be held to obtain the views of interested residents and organizations regarding overall community development and housing needs, development of proposed activities, and a review of program performance. The second hearing will be held to obtain the views of interested residents and organization on the proposed use of CDBG funds and other elements of the consolidated plan.

Generally, hearings shall be held at the City/School Administration Building. However, the City has the option of conducting hearings in local neighborhood meeting places, such as local churches, community centers, the library, or other public facilities, as appropriate. Such hearings will be duly advertised and held at times that provide reasonable and timely access to meetings, such as from 4 p.m. to 6 p.m. and at Legal & Finance and City Council meetings. All public hearings will be held in facilities that afford accessibility for persons with disabilities. At least fourteen (14) calendar days prior to any hearing, a notice shall be published in the non-legal section of a paper of general circulation, to include the Rapid City Journal and Native Sun News. The notice will give the date, time, place and topics to be considered at the hearing.

Notices will also be sent by email and/or letter to social service agencies and other public and semi-public groups which may have particular interest in or be affected by the proposed program. The City will work through these agencies and groups to encourage participation in the hearing process on the part of low-, very low-, and extremely low-income persons who reside in areas where funds will be spent. (24 CFR § 91.110 (a)).

The City will also work with these agencies and groups to involve persons who reside in low, very low, or extremely low income neighborhoods. All notices of the second hearing will also contain a detailed description of the area or areas affected by the project activities in an effort to alert the residents of these areas of such proposals and to encourage their participation in the hearing process.

If any organizations or groups representing affected residents wish to become involved in the resident participation process, the City shall place such group on its mailing list of representative groups and organizations. The City shall be responsible for maintaining a list of representative groups and organizations. This list shall be updated at the beginning of each program year, with new additions being included throughout the year, at the time of a request by a new contact. Additions to the list may also be made by written request to the City stating the nature of the organizations services and why it should be included on the City's list of representative groups.

The City shall have the responsibility for calling meetings and hearings with residents likely to be affected by activities undertaken by the City. The City shall also develop procedures for meetings and hearings for moderating such meetings.

A summary of the comments or views received and a summary of any comments or views not accepted, and the reasons why, will be attached to the Annual Action Plan, Consolidated Annual Performance Evaluation Report, and/or substantial amendments of the Assessment of Fair Housing or Consolidated Plan, as appropriate. [24 CFR § 91.115 (c)(3)]

XII. NON-ENGLISH SPEAKING AND PHYSICALLY DISABLED RESIDENTS

What is the City doing for non-English speaking residents and physically disabled residents? [24 CFR 91.105(a)(2)(i)].

The City will take such measures as are appropriate to encourage and accommodate the participation of minorities, non-English speaking persons, limited English proficiency persons and persons with disabilities.

Non-English Speaking Residents [24 CFR 91.105(a)(4)].

Any non-English speaking residents wishing to participate in hearings may contact the Community Development Division (CDD) prior to the hearings so that adequate arrangements may be made. Such requests should be made at least five (5) working days prior to the hearing date to permit the CDD time to make the arrangements needed. At a minimum, handout material prepared for such hearings will be bi-lingual to accommodate the needs of the attendees where a significant number of non-English speaking residents can be reasonably expected to participate. Secondly, the City may engage the services of a bi-lingual person to assist in presenting relevant information at the hearing, if such services are requested. Persons with limited English proficiency or vision impairments may request free oral interpretation of written materials or written translation of vital documents by calling the Community Development Division at (605) 394-4181.

Residents with Disabilities [(24 CFR § 91.115(d)(2)(f)(g)]

In accordance with the Americans with Disabilities Act persons needing special accommodations to participate in any proceedings should contact the City Finance office, at (605) 394-4143, 24 hours prior to the meeting so that appropriate Auxiliary aids and services are available. The Telephone Device for the Deaf (TDD/TTY Dial 711) number may be utilized by hearing impaired residents to access information. The City will publish the TDD/TTY number in all ads and notices for meetings and hearings.

All meeting locations will be accessible to persons with disabilities. Persons requiring assistance should contact the City at least five (5) days prior to the meeting date. Contact the Community Development Division for further information regarding each program.

XIII. TECHNICAL ASSISTANCE

Is technical assistance available?

Technical assistance from the City or third party contractors to the City or its agencies will be provided to resident participants, low-, very low-, and extremely low-income groups or persons in order to enable them to understand the federal requirements associated with the CDBG program, such as Davis-Bacon Federal Labor Standards provisions, environmental policies, equal opportunity requirements, relocation provisions, etc. Technical assistance will also be provided to groups representative of persons of low-, very low-, and extremely low-income that request assistance in developing proposals. Such assistance will be made available upon request by interested residents or organizations to the City. In addition, the City, through the public hearings, will review such program requirements and will have available for interested parties handout material dealing with technical program requirements so as to assure understanding. Furthermore, the City will provide interpretation services to any non-speaking person or hearing impaired persons who may require such assistance in understanding a particular program being planned or administered by the city.

XIV. RESPONSE TO COMPLAINTS SUBMITTED BY RESIDENTS [24 CFR 91.110 (j)]

How will the City respond to complaints by residents?

The City of Rapid City will provide a timely, substantive written response to every written citizen complaint related to the Community Development Program within fifteen (15) working days from receipt of such complaint.

All correspondence should be directed to:

City of Rapid City
City Attorney's Office
300 Sixth Street
Rapid City, SD 57701-2724

XV. EMERGENCY PROJECTS

For emergency activities, it is the policy of the City Council of the City of Rapid City to grant a temporary waiver for the thirty (30) day “Resident Review and Comment Period”. The City will advertise the project for resident comment concurrent with the start of the project.

In keeping with federal regulations, an emergency project can be defined as an emergency activity of recent origin in which existing conditions poses a serious and immediate threat to the health, safety, or welfare of the community. A sub-recipient must submit certification from a qualified official stating the nature of the emergency and that it poses a serious threat to the community.

Due to COVID-19, CDBG program flexibilities and amendments to plans are requested. These flexibilities and amendments establish expedited procedures to draft, propose, or amend consolidated plans (including annual action plans) and citizen participation plans. The minimum 5-day public comment period cited below for substantial amendments may run concurrently with a minimum 5-day public comment period on amendments to Rapid City’s Resident Participation Plan as outlined in “CARES Act Flexibilities for CDBG Funds Used to Support Coronavirus Response” dated April 9, 2020.

Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA, or ESG funds.

The 30-day minimum required public comment period is waived for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment. This waiver is in effect until March 31, 2021.

As noted above, the regulations at 24 CFR 91.105 set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. Rapid City’s Resident Participation Plan states how reasonable notice and opportunity to comment are provided.

HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k) and 24 CFR 91.401 as specified below to allow Rapid City to determine what constitutes reasonable notice and opportunity to comment given the circumstances related to COVID-19. Rapid City may use alternative methods for public participation and will allow for reasonable notification and access for citizens. This authority is in effect until March 31, 2021.

XVI. MONITORING AND EVALUATION OF COMMUNITY DEVELOPMENT PERFORMANCE

How will the Community Development Program be evaluated?

The City will provide full public access to program information. The City shall maintain the following data:

- A. Mailing and promotional material related to the Resident Participation Process.
- B. Record of Hearing
- C. Key documents including prior statements, consolidated plan and strategy, approval letters, performance reports, evaluation reports, and other documents required by the Department of Housing and Urban Development.
- D. Copies of regulations and policy statements issued by the Department of Housing and Urban Development (available at hud.gov).

All of the above data is available for inspection at 333 6th Street, Rapid City, SD in the Community Development Division office and on line at

<https://www.rcgov.org/departments/community-planning-development/cdbg-program-division.html>

Availability to the Public [24 CFR 91.105(g)]

Typical or standard documents available for public access, at a minimum will include copies of the proposed, revised and final Assessment of Fair Housing, Annual Action Plans, Consolidated Plan, Annual Performance Evaluation Reports, and Resident Participation Plan. The City will provide a copy of standard documents, within two (2) working days of a request at no charge to the general public. Every reasonable attempt shall be made to accommodate persons with disabilities and assist them in obtaining requested materials.

Standard documents shall be made available at:

CDBG Program Division 333 6th St.,
Rapid City, SD 57701 (605) 394-4181
Lucy.LaDeaux@rcgov.org

Access to Records [24 CFR 91.105(i)]

The City of Rapid City will provide the public with reasonable and timely access to information and records relating to the data or content of the AFH, the Consolidated Plan, and the proposed, actual and past use of funds covered by this Citizen Participation Plan. The law requires reasonable public access to records about previous expenditures during the past five years, and reasonable public access to records relating to the expenditure of

funds during the previous five (5) program years.

XVII. MODIFICATION OF PLAN

Can this Plan be modified?

The resident participation plan may be modified from time to time by the City provided such revisions are consistent with federal and state law, HUD's CDBG regulations, and administrative requirements covering resident participation. Prior to any modification of the resident participation plan, the City will publish a notice of modification of the plan in sufficient time to permit residents to comment prior to approval by the City Council. The notice shall be published in local newspapers of general circulation at least fourteen (14) days prior to the adoption of the modification by the City Council.

XVIII. AVAILABILITY OF PROGRAM AND RELATED INFORMATION

Copies of any of the CDBG plans, Annual Reports, including the Resident Participation Plan may be obtained from the City web site at: www.rcgov.org/departments/community-planning-development/cdbg-program-division.html or from the Community Development Division office at the address below.

More information regarding the Community Development Block Grant program through HUD can be accessed through their website at:

<https://www.hudexchange.info/programs/cdbg/>

Any questions or comments on this plan, requests for materials in another language or to accommodate visual impairment, or requests for information should be directed to:

City of Rapid City
300 Sixth Street, Rapid City, SD 57701-2724
(605) 394-4181