

**CITY OF MESA**  
**PARTICIPATION PLAN FY2010/2014**  
January 15, 2010 (revised March of 2012)

**Applicability**

This document implements the citizen participation planning regulations applicable under Consolidated Plan submittal requirements noted under 24 CFR 91.105. This citizen participation plan applies to the City of Mesa Consolidated Plan covering FY 2010 through FY 2014, pursuant to 24 CFR 91.200.

The City of Mesa has elected to establish July 1 through June 30 as the Program Year under forthcoming Consolidated Plan submissions in FY 2010 through 2014. This program year corresponds with the city's fiscal year.

**Consolidated Plan Summary**

HUD regulations noted in 24 CFR 91.200 require the preparation of Consolidated Plans for all entitlement communities. The Consolidated Plan is prepared in draft form by April in the year the Plan takes effect and includes needs, priorities and long- and short-term strategies concerning affordable housing, homeless/special needs and community development in the region. The Consolidated Plan process includes a Five-Year Consolidated Plan and Annual Action Plans, and serves as a long- and short- term investment guide for federal Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), HOME Investment Partnerships Program (HOME) and Housing Opportunities For Persons With Aids (HOPWA if and when applicable) resources in the City of Mesa. The Consolidated Plan is also consulted prior to the award of other funding administered by the U.S. Department of Housing and Urban Development.

The Consolidated Plan prepared for the City of Mesa addresses affordable housing, community development, homeless and special population needs priorities and strategies pursuant to 24 CFR 91.200. For more information concerning the citizen participation process associated with the Five-Year Consolidated Plan, please contact Mary Berumen, Mesa Housing and Revitalization Director at 480.644.3312 or Tammy Albright, Mesa Housing and Community Development Director at 480.644.3312.

**Encouragement of Citizen Participation and Information to Be Provided**

In order to encourage citizen participation, the following efforts shall be undertaken by the City of Mesa.

- 1) The city shall consult with its local housing authority to elicit participation of the residents of assisted housing in plan development and review, which is anticipated to be derived from PHA planning activities stipulated under 24CFR Part 903. As needed and applicable, the city will also consult with low-income residents of targeted revitalization areas in which federal projects are anticipated. The city shall make Consolidated Plan information available to local its local housing authority if applicable on a continuing basis for any public hearings to be held under the HUD Comprehensive Grant Program or Public Housing Agency Plan established pursuant to 24CFR Part 903.

2) The City of Mesa shall hold at least two public hearings concerning the Consolidated Plan. The first meeting shall be held during Consolidated Plan formulation and preparation, while the second shall be held once the draft Consolidated Plan has been completed. One or both of the public meetings to be conducted by the city shall include the following items:

- ✓ The amount of CDBG, ESG, HOME and HOPWA resources anticipated to be made available within the city on a fiscal year basis, and the eligible range of activities that may be undertaken concerning such federal programs.
- ✓ The amount of CDBG, ESG, HOME and HOPWA resources anticipated to benefit income qualified persons residing within the City of Mesa on a fiscal year basis.
- ✓ Plans by the City of Mesa to minimize the displacement of persons from the intended uses of CDBG, ESG, HOME and HOPWA resources anticipated to be invested during any given fiscal year.
- ✓ Perspectives on priorities and housing and community development needs in the City of Mesa.
- ✓ Other aspects of the Consolidated Plans as applicable.

3) On or before April 10 of any given year, the City of Mesa will make available its draft Consolidated Plan, Annual Plan and the previous year's Comprehensive Annual Performance Evaluation Report (CAPER) to its housing authority, selected libraries, surrounding municipal governments (as applicable), and selected other locations for the mandatory 30-day public comment period to end no later than the 1st of May of any given year. The public shall be notified of this opportunity for review and comment in newspaper/s with general circulation in the city and shall identify the locations where citizens may review copies of draft Consolidated Plan and relevant Comprehensive Annual Performance Evaluation Reports (CAPERs).

4) In early September of each year, the City of Mesa shall make available its draft Comprehensive Annual Performance Evaluation Reports (CAPER) for the previous fiscal year to its housing authority, selected libraries, surrounding municipal governments (as applicable); and selected other locations for the mandatory 15-day public comment period to end no later than September 30.

### **Access to Records**

The City of Mesa shall provide citizens, public agencies and other interested parties with reasonable and timely access to public records relating to their past use of CDBG, ESG, HOME and HOPWA and related assistance for the previous five years. This information shall be made available to interested parties in alternate formats as reasonably requested and shall be so noticed.

### **Technical Assistance**

The City of Mesa will provide assistance to very low- and low- income persons and groups representative of them that request such in developing proposals for funding under the CDBG, ESG, HOME and HOPWA resources treated in their Consolidated Plans. Such assistance will be provided to interested parties as requested and be noticed as available to the public.

### **Public Hearings**

Public hearings to be conducted by the City of Mesa shall be publicly noticed with a minimum two week lead time before the actual meetings are conducted and be noticed in newspapers with general circulation in the community. All postings shall include relevant information to permit informed citizen comment.

Where appropriate and/or where requested in advance, a bilingual staff person or translator shall be present at public hearings to meet the needs of non-English speaking residents. All public hearings to be conducted will be held at times and locations convenient to prospective program beneficiaries, and be conducted with accommodation for persons with disabilities when requested at least three working days in advance. Requests will be assessed by city staff on a case-by-case basis.

### **Comments and Complaints**

Any citizen, organization or group desiring to make a complaint regarding the Consolidated Plan treated herein may do so in writing to the City of Mesa or verbally during the execution of public hearings. Any citizen, organization or group may also make their views and/or complaints known verbally or in writing to the City Manager and/or Mayor/City Council. At all times, citizens have the right to submit complaints directly to the Department of Housing and Urban Development as well. The City of Mesa will respond in writing to written complaints, grievances, or comments or to comments made at public hearings within 15 working days from receipt of such. The Mesa City Council is the final disposition authority for complaints or grievances filed.

### **Adoption of Citizen Participation Plan**

The Citizen Participation Plan is a required component of the Consolidated Plan. This Citizen Participation Plan is adopted by the City of Mesa as part of its Five-Year Consolidated Plan.

### **Comments Received at Public Hearings**

Prior to transmitting any Consolidated Plan, Annual Action Plan, substantial plan amendment or Consolidated Annual Performance and Evaluation Report, members shall compile any comments or views of citizens received in writing or orally at public hearings. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to final submissions conveyed to HUD.

### **Criteria and Process for Amendments to Consolidated Plan and Annual Plan**

Should any one of the following items to occur, an amendment to City of Mesa Consolidated Plan or Annual Action Plan would be required:

- a) To make a substantial change in the allocation priorities or methods of distribution delineated in the plans. "Substantial" in this context is defined as:
  - ✓ Changes in any method of distribution for HOME, CDBG, ESG or HOPWA resources that will alter the manner in which funds are allocated to individual projects identified in the Annual Action Plan by at least 20% of the city's annual FY

allocation, subject to other program requirements in the CFR as applicable; and/or;

- ✓ Changes made to funding priorities in the Consolidated Plan over time when not undertaken through annual submission requirements stipulated by HUD; and/or;
  - ✓ Project deletions or changes made in allocation priorities or methods of distribution that have the effect of changing the funding level of individual CDBG projects within an eligible activity identified in its Annual Action Plan by more than 20% of the city's annual funding level, subject to other program requirements in the CFR as applicable. Any new eligible activity funded with CDBG and not already identified in an Annual Action Plan, as well as significant changes in the use of CDBG funds from one eligible activity to another, in an amount greater than 20% of the annual CDBG allocation.
- b) To carry out an eligible activity, using funds from any program covered by the Consolidated Plan (including program income), not previously described in the Annual Action Plan.
- c) To substantially change the purpose, scope, location, or beneficiaries of an activity. Changes that are made to projects to be funded in the Consolidated Plan over time when not undertaken through Annual Action Plan submission requirements stipulated by HUD.

Should "substantial" amendments be made to any aspect of the Consolidated Plan treated herein after its formal adoption, the City of Mesa will undertake the following: [refer to 91.105(b)(2)(iv) and (b)(6)].

- a) Provide reasonable public notice of the proposed amendment(s) in applicable newspaper/s of general circulation to enable review and comment by the public for at least 30 days. Conduct a public hearing on the subject of the proposed amendment during the 30-day comment period consistent with Sections III through VI noted herein.
- b) Submit such amendment(s) to the Mesa City Council for approval.
- c) Upon the termination of the 30-day comment period, periodically notify HUD of any amendments executed, citizen comments received and the response(s) by the City of Mesa to such comment(s).

The City of Mesa will minimize the displacement of persons assisted through the use of CDBG, ESG, HOME and HOPWA resources. The policies to be followed are included under separate cover. For efforts other than federally funded acquisition or rehabilitation, Mesa will utilize adopted local policies concerning displacement assistance.

#### OTHER CITIZEN PARTICIPATION REQUIREMENTS

People and agencies seeking resources from the City of Mesa may need to comply with additional citizen participation requirements imposed on them. HUD waivers relevant to the provisions of this document shall over-ride and supersede the applicable contents of this Citizen Participation Plan.

## ACQUISITION AND RELOCATION POLICIES

### Preface

This policy is necessary to insure uniform, complete and accurate acquisition and relocation activities, procedures and files. Acquisition may in some cases be undertaken by the sub-recipient, but only with the close coordination of CD Staff and/or consultants.

The City of Mesa, in carrying out its responsibility for CDBG and HOME program administration will use staff and consultants as necessary to comply with the requirements of the Uniform Acquisition and Relocation Act of 1970 (PL 91-646), as amended.

### CITY OF MESA POLICIES ON DISPLACEMENT FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) and/or HOME FUNDED ACTIVITIES

Guideform Residential Antidisplacement and Relocation Assistance Plan under Section 104(d) of the Housing and Community Development Act of 1974, as amended.

The City of Mesa, in accordance with Federal Regulations for Displacement, 24 CFR 570.606(b), hereby issues this statement of policy regarding the displacement of persons by CDBG or HOME Program funded activities.

Any entity receiving CDBG or HOME Program funds will replace all occupied and vacant units that will be demolished or converted to a use other than as low/moderate income housing.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion. This includes any property obtained through a public undertaking. Before obligating or expending funds that will directly result in such demolition or conversion, the entity will make public and submit to the HUD Field Office the following information in writing.

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than for low/moderate income dwelling units as a direct result of the assisted activity;
- A time schedule for the commencement and completion of the demolition or conversion;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
- The source of funding and a time schedule for the provision of replacement dwelling units, and
- The basis for concluding that each replacement dwelling unit will remain a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy (i.e.: Deed of Trust, Deed Restriction, etc.).

The entity will provide relocation assistance, as described in 570.606(b)(2), to each low/moderate income household displaced by the demolition of housing or by the conversion of a low/moderate income dwelling to another use. Benefits will be provided to relocatees and displacees according to the calculation of benefits derived pursuant to requirements of

regulations promulgated under the Uniform Property Acquisition and Relocation Act of 1970, as amended

#### Assistance To Aliens

An alien who is not lawfully present in the United States is prohibited from receiving assistance under the Uniform Relocation Act, per 49 CFR 24.208, and assisted housing programs. Circumstances may dictate that determination that an alien is ineligible would result in exceptional and extremely unusual hardship to a spouse, parent, child who is a United States citizen. A final determination on the eligibility of the request will be made by HUD before any assistance is provided.

#### Permanent Displacement

Displacement is defined as follows: Permanent movement of person(s) or other entities from a dwelling unit or business location resulting from CDBG or HOME funded code inspection, rehabilitation, demolition or acquisition.

In order to minimize displacement and mitigate adverse effects, the policy shall consist of the following steps, in the event displacement is caused by current or future CDBG or HOME Program funded projects:

- Avoid or minimize permanent displacement whenever possible and only take such action when no other viable alternative exists.
- The impact on existing persons and properties will be considered in the development of CDBG and HOME Program funded projects.
- Citizens shall be informed of CDBG or HOME Program project area(s) through information made available as part of the annual proposed and final statements on use of CDBG and HOME Program funds.
- Current regulations, HUD notices and policies will be followed when preparing informational statements and notices.
- Written notification of intent will be given to eligible property owners who may be displaced and/or relocated due to an approved project activity.
- Assist those displaced in locating affordable, safe, decent and comparable replacement housing.
- Ensure that "just compensation" for CDBG or HOME Program acquired property (as determined by appraised fair market value) is paid with relocation benefits, if applicable.
- Provide for reasonable benefits to any person permanently displaced as a result of the use of CDBG funds to acquire or substantially rehabilitate property.

Reasonable benefits will follow established policies set forth in applicable federal, state and local regulations.

- Provision of information about equal opportunity and fair housing laws in order to ensure that the relocation process does not result in different or separate treatment on account of race, color, religion, national origin, sex, or source of income.
- Displaced families will be given a preference through the Housing Choice Voucher Program, Conventional Public Housing or any other federally funded program for which they might qualify. This priority is contingent upon availability of certificates, vouchers or placement coupons by the agency certified to handle assistance in the jurisdiction.

### **Temporary Displacement**

CDBG or HOME Program funded activities may involve temporary displacement. While strict adherence to provisions of the Uniform Relocation Act is not specified, it is the policy of the City of Mesa that all subrecipients shall take steps to mitigate the impact of CDBG or HOME Program funded code inspections, rehabilitation, demolition or acquisition that results only in temporary movement of person(s) from a dwelling unit. Such temporary displacement primarily involves demolition and reconstruction of a single-family owner-occupied home. Accordingly, the citizens involved in a temporary movement shall be fully informed of the below matters and appropriate steps shall be taken to insure that fair and equitable provisions are made to:

- Insure that owners receive compensation for the value of their existing house prior to demolition.
- Receive temporary living accommodations while their CDBG or HOME Program funded unit is being demolished and reconstructed.
- Move and temporarily store household goods and effects during the demolition and reconstruction evolution.
- Reimburse all reasonable out-of-pocket expenses incurred in connection with the temporary relocation, including moving costs and any increased rent and utility costs.