

Citizen Participation Plan For the Community Development Block Grant Program

**Adopted by the Town of Weymouth, Massachusetts on
June 23, 2006 Updated as of October 15, 2014**

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INTRODUCTION

What is a Citizen Participation Plan?

The Citizen Participation Plan (“Plan”) is a required part of the Community Development Block Grant (CDBG) program of the U.S. Department of Housing and Urban Development. The CDBG program is a federal formula grant program that established under Title 1 of the Housing and Community Development Act (HCDA) of 1974.

The CDBG program awards eligible communities a grant as an “entitlement” based upon factors specified in the HCDA, as amended, including population, poverty, overcrowding, growth lag, and pre-1940 housing stock.

The Town of Weymouth (“Town”) receives a CDBG entitlement grant of approximately \$1,000,000 each year.

The HCDA requires that CDBG funds must be used predominately to benefit low and moderate-income residents of the entitlement community. Statutory goals of the block grant program are to:

- Provide decent, safe, and sanitary housing;
- Provide a suitable living environment; and
- Expand economic opportunities.

Once an entitlement community receives a block grant, the community awards funding to eligible agencies and organizations (“sub grantees”) to conduct activities that meet the needs of the town’s low and moderate-income residents. Input on needs and the prioritizing of needs is derived in part from citizen input and through the input of service providers (who have the expertise in understanding such needs and in serving low and moderate income residents). Prior to awarding funding to sub-grantees, the Town must ensure that each activity is “eligible” and meets “national objectives” specified in the HCDA. (Eligibility and national objectives are both described later in this document.)

Throughout the CDBG planning process, the Town promotes active citizen participation in accordance with this Plan. This Plan describes the Town involves residents in the planning process and needs identification and how the Town consults with service providers.

This Plan – and plans and other documents subject to citizen participation (such as the Annual Action Plan, CAPER, and Consolidated Plan) - will be made available to the public. The Town will utilize different methods to make this Plan available to afford citizens, public agencies and other interested parties with an opportunity to examine the Plan and other documents and submit comments. Such methods include providing a copy to the public library, the Office of the Town Clerk, to the Town Council, maintaining a copy in the DPCD, and posting the Plan on the Town website.

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In addition, if requested, this Plan and the other documents mentioned above will be made available for persons with disabilities (e.g., by providing oral, Braille, electronic, or large print copies for the visually impaired and delivering copies to the homebound) and for non-English speaking persons.

Adoption by the Local Government

This Plan was formally adopted by the Town along with the Annual Action Plan for 2006, to which it was appended, on June 23, 2006.

CITIZEN PARTICIPATION

How Are Citizens Involved in CDBG Planning?

The Plan describes how and when citizens encouraged to participate in the CDBG planning process. The contents of the Plan are dictated by the HCDA, as amended, and pertinent HUD regulations found at 24 CFR 91.105.

As required by federal law, this Plan is intended especially to encourage the involvement of low and moderate-income persons, such as those living in areas where funding will be used or in areas that are predominately low and moderate-income neighborhoods.

The Plan identifies many opportunities for citizen participation, describes how citizens will be notified of such opportunities, states how complaints related to the CDBG program will be addressed, and provides information on technical assistance available to help with preparing funding proposals.

The Plan includes the following elements:

- 1. Identification of community needs during the preparation of the Five-Year CPS;**
- 2. Technical Workshops and Outreach Meetings;**
- 3. Public Hearings;**
- 4. Access to Public Records;**
- 5. Comment Periods for the General Public;**
- 6. Substantial Amendments;**
- 7. Citizen Complaint Process; and**
- 8. Anti-Displacement.**

1. Identification of Community Needs

The Town develops a long term planning document, in accordance with HUD regulations found at 24 CFR 91.205 to 91.230, called the Five-Year Consolidated Planning Strategy (“Five-Year CPS”).

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The Five-Year CPS serves four functions: it is a community's planning document built upon participation; it is an application for funds for the next fiscal year; it sets priorities for a three to five year period (for Weymouth, it is a five year period); and it is the basis for a community's own assessment of its performance. For more information, see the "CDBG General Overview" section later in this document.

The Five-Year Plan has a section called the "Strategic Plan," which is the section that identifies a community's priority needs and strategies for addressing such needs in the areas of housing, social services, improvements to public facilities (including infrastructure) and more.

To identify such needs, the Town must consult with local government agencies and departments and/or other government entities charged with serving residents, especially low and moderate income residents, in the areas of housing, economic, and community development. The Town also consults with private organizations (e.g., non-profits) serving Town residents. Other entities the Town may consult with include relevant regional organizations and other area local governments.

The Town also involves the general public (i.e., residents) in the planning process and the identification of needs, especially focusing on encouraging involvement of low and moderate-income residents such as residents of public and assisted housing developments.

All meetings described below including public hearings, technical workshops, and community meetings to elicit input on the identification and prioritization of needs are open to the general public.

Examples of the Town's efforts to encourage citizens to participate in the development of the Consolidated Plan and substantial amendments to the Consolidated Plan, and the CAPER may include one or more meetings with neighborhood or civic associations and tenant groups under the WHA.

The Town's promotion of participation by low and moderate income persons may include meetings with the public housing tenant groups and by notices specifically sent to the neighborhood or civic associations representing the low or moderate income areas where activities will be conducted inviting comments on planning and community needs and priorities, or by hosting a meeting in such areas.

A "predominately low and moderate-income area" is one that has been identified as a Target Area represented on the Target Area maps maintained by the Department of Planning and Community Development (the DPCD). These areas are those identified through the U.S. Census and HUD as having a certain percentage of low and moderate income residents (based on the 2010 Census, that minimum percentage is 42.95).

The DPCD maintains an active list of organizations, departments, agencies, civic or neighborhood associations, and individuals with an interest in the CDBG or HOME planning process. The DPCD mails out notices relating to CDBG and HOME as part of its regular outreach and consultation process (e.g., notices of public hearings, workshops). Interested parties are invited to add their names and addresses to the mailing list and the list is constantly updated.

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2. Technical Workshops & Outreach Meetings

Each fiscal year (which runs from July 1 to June 30), the DPCD conducts at least one technical workshop prior to the due date for funding proposals to be submitted to the DPCD, to consult with and to assist service providers and other parties interested in proposing activities with the proposal process. This workshop is always open to the public.

The specific time and date (and location) of the technical workshop will be published in the local newspaper in accordance with the section below (“Public Hearings”). The Technical Workshop is intended to assist perspective applicants for funding with the application process.

The Town will conduct other meetings (outreach meetings or community forums) during the consolidated planning process aimed at involving residents- particularly low and moderate income residents – in the identification and prioritizing of needs (e.g., housing needs, economic needs, infrastructure needs). Such meetings may take place at public facilities and/or in neighborhood locations such as meeting places of civic associations, or at other locales (e.g., housing authority sites).

Notice- Technical Workshops

Notice concerning upcoming technical workshops (dates, times, and locations, and purposes) will be published in a local newspaper. Notice shall also be posted in the Town Hall in a conspicuous place and be mailed to interested parties on generally maintained CDBG mailing lists.

Public hearings will be conducted at reasonable times, in locations accessible to the handicapped and with translation service available, if requested, for non-English speaking persons. For assistance with accessibility or questions concerning accessibility, one should call the ADA Coordinator at (781) 682-3595. Additionally, one may send an email to adacoordinator@weymouth.ma.us.

Technical and General Assistance

Separate and distinct from the technical workshops referred to above, the DPCD will be available upon request, during business hours, to provide technical assistance (which need not include the provision of funds) to organizations, agencies, departments, or residents interested in proposing activities for funding or seeking information on eligibility of activities or simply interested in discussing needs or funding options.

Technical assistance will also be provided to agencies, organizations, and departments receiving CDBG or HOME funds to ensure that funded activities are being carried out in accordance with regulations and program requirements.

*Individuals, agencies, and organizations interested in applying for funding under the CDBG program should contact the DPCD **PRIOR** to submitting an application to obtain guidance so that applicants do not spend time applying for funding for ineligible activities.*

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3. Public Hearings

As required by HUD regulations, the Town will conduct at least two public hearings. These hearings must, as specified by HUD, be conducted at two different stages in the planning process. Regulations require that at least one of these hearings must be conducted before the proposed consolidated plan is published for comment. The hearings will be held annually as follows:

- One hearing will be conducted prior to the submission of the Annual Action Plan to HUD (due to HUD on May 15). The hearing will provide an opportunity for citizens and other interested parties to comment on proposed activities and funding requests (which, once funded, will be the subject of the Annual Action Plan) and needs. Agencies and organizations applying for CDBG funds will be invited and strongly encouraged to attend the hearing and to present information on proposals and the particular needs of the community to be met through the proposed activities.
- A second public hearing will be conducted prior to the submission of the performance report (“CAPER”) to HUD (due to HUD by October 1).

Every five years, as the Town prepares its new Five-Year CPS (which includes an Annual Action Plan), the DPCD will conduct at least one public hearing to obtain citizen input on housing and community development needs and on proposed actions to meet such needs, prior to publication for comment of the draft consolidated plan.

Notice –Public Hearing

Notice concerning public hearing (date, time, and location, and purpose) will be published in the local newspaper at least two weeks (14 days) prior to the hearing. Such notice will also be posted in a conspicuous place in the Town Hall. Notices are also mailed to a substantial list of interested parties – past and present - maintained by the DPCD including many non-profit organizations, local government agencies and departments, neighborhood associations, and other interested parties.

Public hearings will be conducted at reasonable times, in locations accessible to the handicapped and with translation service available, if requested, for non-English speaking persons.

4. Access to Public Records

Except for records exempt from disclosure under the Freedom of Information Act, the public will have reasonable and timely access to public records (e.g., the Citizen Participation Plan, Action Plan, CAPER, and the Five-Year CPS [including “substantial amendments” if applicable]).

The Town will provide a reasonable number of free copies of the Consolidated Plan to citizens and groups that request it. Records may be viewed during regular business hours of the DPCD upon request to the DPCD. Upon request by the general public or other interested parties for public records to review, the DPCD may have up to three business days to obtain such public records for review by the requesting party.

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5. Comments From the General Public

The general public will be provided with an opportunity to submit comments orally or in writing at public hearings or in writing in response to comment periods established by the WDPCD.

The DPCD will provide the general public with comment periods as described below, in relationship to the development of the Annual Action Plan, CAPER, Five-YEAR CPS, and substantial amendments to the Five-Year CPS.

Regarding each of the comment periods described above, the DPCD will publish a summary of the relevant plan or amendments (e.g., Annual Action Plan, CAPER, Five-Year CPS, substantial amendments) in the local newspaper of general circulation identifying the date and time for written comments to be submitted and the address where such comments must be received. The notice will also be posted in a conspicuous place in the Town Hall. In addition to such publication, the Town will make copies of the Annual Action Plan, CAPER, Five-Year CPS (Consolidated Plan) and substantial amendments to the Consolidated Plan available at the main library, government offices, and on the Town web-site.

If a summary is published, the summary will describe: the contents of the Annual Action Plan, CAPER, Consolidated Plan or substantial amendments; the purpose; and the locations where full copies may be examined.

Comments on the Annual Action Plan

The DPCD will provide the general public with **at least 30 days** to comment on the Annual Action Plan, prior to submission to HUD. The Annual Action Plan is due to HUD by May 15. Comments or views expressed in writing, or orally at the public hearing, will be considered.

Comments on the CAPER

The general public must be provided with **at least 15 days** for the submission of comments on the performance report (CAPER) prior to the date on which the Town must submit the final CAPER to HUD. Such comments will be summarized as part of the final CAPER or will be attached in full to the CAPER, at the discretion of the DPCD. Comments or views expressed in writing, or orally at the public hearing, will be considered.

Comments on the Five-Year CPS (Consolidated Plan)

The general public will be provided **at least 30 days** to comment on the Five-Year CPS (which includes the Annual Action Plan) prior to submission of the document to HUD. Comments or views expressed in writing, or orally at the public hearing, will be considered.

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6. Substantial Amendments

There are certain amendments to the consolidated plan or to an annual action plan that are defined – either by HUD regulation or by the Town’s CDBG program – as “substantial”, triggering the provisions of the Citizen Participation Plan. Such **substantial amendments** include:

- Changing use of CDBG funds from one eligible activity to another (this is defined by HUD regulations at 24 CFR 91.105(c) as substantial);
- Increasing/decreasing funds for an activity by 20% or more compared to the original allocation¹ (excludes activities completed under budget by 20% or more);
- Changing beneficiaries of a project (e.g., seniors to veterans); and
- Funding an activity not previously described in the action plan.

At times, the Town may make changes to the Five-Year CPS that are not considered “substantial,” as defined above. Such amendments do not trigger the Citizen Participation Plan provisions. The Town **will** make non-substantial amendments public by:

- Posting such amendments in a conspicuous place in the Town hall; and
- Posting such amendments on the Town’s website at <http://www.weymouth.ma.us>

The Town is not required either to conduct a hearing or to publish notification in a newspaper regarding such non-substantial amendments.

All amendments - substantial or not - are matters of public record and, as such, may be viewed and copied by the general public consistent with the section below called “Access to Public Records & Other Documents.”

The DPCD must provide notice of each amendment (or a copy of said amendment) to HUD, as the amendment occurs or at the end of the program year. A CDBG program representative must sign the letter transmitting or describing the amendment.

Notice of Substantial Amendments

An amendment that is substantial will:

- Be posted in a conspicuous place in the Town Hall;
- Be placed on the Town’s web-site at <http://www.weymouth.ma.us>
- Be published in summary format in a local newspaper.

¹ The Town is authorized under HUD regulations to define the term additional “substantial” amendment.

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Comment Period for Substantial Amendments

The Town will provide the general public with **at least 30 days** to submit written comments on a substantial amendment before such amendment may be implemented. The publication of notice of the substantial amendment will include the date and time by which such comments must be submitted and the address for receipt of such comments. A summary of comments not accepted – and the reasons for not accepting them – will be made part of the consolidated plan.

7. Citizen Complaint Process

The WDPCD is responsible for responding in a timely fashion to complaints from citizens regarding the CDBG program, including reports and plans required by HUD as part of the CDBG funding process. Complaints regarding the CDBG program may be submitted in writing to the WDPCD by mail or in person and must clearly describe the circumstances related to the complaint, and describe the specific activity or project that is the subject of the complaint (as well as the organization or agency in charge of the activity or project) and the name, telephone number and address of the complainant. The WDPCD will contact the complainant if clarification is needed to develop a response.

The DPCD will review complaints and provide a written response to the complainant **within 15 business days of receipt** – where practicable- of the written complaint or of the clarification (if applicable), whichever is later. Complaints may be mailed or hand delivered to:

Town Hall
Weymouth Dept. of Planning & Community Development, 3rd Floor
75 Middle Street
Weymouth, MA 02189

8. Anti-Displacement

The WDPCD does not intend to undertake any activities in which any occupied lower income housing is demolished or converted to a use other than as lower income housing. If the Town should undertake such activities in the future under the CDBG or HOME Programs, the Town will follow federal regulations under 24 CFR 570.496a(c)(1) and 24 CFR 570.606(c)(1) regarding relocation and replacement of housing.

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Steps to Minimize Displacement

The Town will comply with acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24. The Town will follow a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted under the CDBG or HOME programs.

CDBG GENERAL OVERVIEW

What Town Agency Administers the CDBG Program?

The CDBG program is administered by the Weymouth Department of Planning and Community Development (WDPCD) at the Town Hall. The WDPCD is responsible for each step in the funding process from notifying agencies and organization and the public about funding availability annually, to helping the Mayor to reach a decision on what activities will be funded and for how much, to monitoring the progress of sub-recipients. The WDPCD also executes “Agreements” with sub-recipients regarding funding, oversees the procurement process for design and construction work and the execution of necessary contracts, reviews and approves reimbursement requests, monitors sub-grantee performance, and prepares reports and plans required by HUD.

What are the CDBG “national objectives”?

Under HUD regulations, each activity to be funded must meet one of three “national objectives.” An activity meets a national objective if it does one (or more) of the following:

- **Serve low or moderate income residents (e.g., the activity benefits people in an area with an established percentage of low and moderate income residents², or benefits a group of individuals presumed under HUD regulations to be low or moderate income³); or**
- **Eliminate or reduce slum or blight; or**
- **Meet an “urgent need” (e.g., damage caused by a flood or hurricane).**

² Under HUD regulations, the Town of Weymouth is classified as an “exception city,” meaning that its low and moderate income areas need not have 51% low-moderate income residents, but may have less. The areas in Town that qualify as low-moderate income areas change with each U.S. Census, conducted every ten years.

³ Such individuals include the elderly, severely handicapped, battered women & children, etc.

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What Activities are “Eligible” for Funding?

Only certain activities, identified at 24 CFR Subpart C, are eligible for funding. Such eligible activities are include - but are not limited to: acquisition of real property for a public purpose; disposition of real property acquired with CDBG funds; clearance, demolition and removal of buildings; public services; public facility (and infrastructure) improvements; historic preservation; housing rehabilitation; general administrative and planning activities; and more.

Some types of activities are prohibited from being funded under the CDBG program. Examples of such activities include religious or political activities; and a building or portion of a building used for the general conduct of government⁴.

When is the CDBG Fiscal Year?

The Town’s CDBG fiscal year begins on July 1 and concludes on June 30th. The Town requires that except for activities involving renovations or improvements to buildings, houses, or infrastructure, funding must be expended within the year it is allocated.

How is Funding Awarded by the Town to Sub-Recipients?

The Town follows an established process for awarding CDBG funding to agencies and organizations. The steps include:

- Advertising availability of the CDBG funds in a local newspaper (including the dates, places and times for at least one “technical workshops” [to assist applicants with their proposals] and at least one “public hearing” [to enable the general public to hear details concerning proposals and to comment on proposals]);
- Conducting at least one technical workshops for funding applicants;
- Conducting at least one public hearing to invite citizen participation in the funding process;
- Evaluating the proposals to determine that activities (1) meet eligibility requirements for funding under CDBG regulations; (2) satisfy HUD regulations regarding national objectives⁵, and (3) meet a “priority need” for housing or community development as identified in the most recent **Five-Year Consolidated Planning Strategy (CPS)**⁶, a document prepared by the WDPCD and required by HUD⁷.

⁴ The prohibition of the use of CDBG funds for buildings does not apply to removal of architectural barriers under 24 CFR 570.201©.

⁵ A national objective is met when an activity will: benefit low or moderate-income persons; or prevent or eliminate slum or blight; or prevent serious & immediate threats to community health & welfare.

⁶ The CPS is available for viewing or copying at the WDPCD.

⁷ Needs are ranked as “high,” “medium,” or “low” and CDBG funds must be used to identify the highest possible needs before being applied to lesser needs.

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- Providing overviews on funding proposals to the Office of the Mayor to enable the Mayor to make the final decision on which agencies, departments, or organizations will receive funding and how much funding.
- Preparing the **draft Annual Action Plan** describing which activities will be funded (and how much), and which agencies, departments or organizations will carry out such activities. A summary of the draft is published in the local newspaper inviting the general public to submit comments.
- Preparing the **Final Annual Action Plan** – including summaries of any public comments submitted. Substantial comments must be addressed in the Plan: this means something other than that an applicant simply seeks increased funding.
- Administering the CDBG Program – including monitoring performance by sub-grantees and reviewing and approving requests for reimbursements, etc. – in accordance with federal, state and local laws, regulations, and ordinances.

What Plans or Reports Must the Town Submit to HUD?

Annual Action Plan

At the start of each fiscal year, the WDPCD must submit an Annual Action Plan to HUD. The plan describes the activities to be funded during the upcoming fiscal - describing in detail: the activities that will be funded; the amount of funding; the agencies, departments, or organizations carrying out the activities; and the locations of each activity. The plan is due to HUD 45 days prior to the start of its fiscal year (therefore, the Town must submit the plan to HUD by May 15).

Regulations governing the content of the Annual Action Plan may be found at 24 CFR 91.220.

Consolidated Annual Performance and Evaluation Report

By October 1 of each year, the Town must submit the “Consolidated Annual Performance and Evaluation Report” (“CAPER”) to HUD, addressing the Town’s performance during the preceding fiscal year. The CAPER must be prepared in accordance with HUD regulation at 24 CFR 91.520.

The CAPER identifies how the activities funded in the previous year met the objectives in the Five-Year CPS and the Annual Action Plan. The CAPER also identifies the agencies and organizations that received CDBG funds, the activities funded, and the funding amounts and expenditures.

The CAPER must show that the Town has not expended more than 20% of available funds for general administrative and planning functions, or more than 15% of such funds for public services.

The Five-Year Consolidated Planning Strategy (CPS)

A complete consolidated plan must meet the requirements of 24 CFR 91.205 through 91.230 and must be submitted no less frequently than every five years. The consolidated planning strategy elements include:

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- Housing and homeless needs assessment
- Housing market analysis
- Strategic plan
- Action Plan
- Certifications

Each activity funded, and described in the Annual Action Plan (see the section above), must meet the priority needs identified in the Five-Year CPS. In this manner, the Annual Action Plan implements the objectives identified in the Five-Year CPS.