Davis
COUNTY

CITIZEN PARTICIPATION PLAN

COMMUNITY & ECONOMIC DEPARTMENT
61 SOUTH MAIN STREET – SUITE 304 – PO BOX 618 – FARMINGTON, UTAH – 84025

www.daviscountyutah.gov/ced/grants

2011-141-B

DAVIS COUNTY
CITIZEN PARTICPATION PLAN

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Introduction

The purpose of the Davis County Citizen Participation Plan is to provide for and encourage citizens to participate in the development of the Assessment of Fair Housing (AFH), Consolidated Plan (ConPlan), Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), and any amendment to the above mentioned plans or reports. Developed as a stand-alone document in conformance with the requirements set forth at *24 CFR 91.105*.

Davis County is an urban county entitlement jurisdiction receiving Community Development Block Grant (CDBG) funds directly from the U.S. Department of Housing and Urban Development (HUD). The Davis County Community and Economic Development Department is the office that oversees and manages this program for the County.

About the Citizen Participation Plan

Davis County adopted an initial Citizen Participation in 2011 and has amended and updated it from that time forward. The Plan is available for review on the Community & Economic Development website: https://daviscountyutah.gov/ced

The policies and procedures outlined in this Citizen Participation Plan conforms to six stages of action referenced in laws and regulations. These include:

1. Preparation or update of the Assessment of Fair Housing;
2. Identification of housing and Community Development Needs;
3. Preparation of a Proposed Action Plan (and/or Five-Year Consolidated Plan) for the upcoming program ear, outlining how expected funds will be allocated.
4. Approval of a final Action Plan (and/or Five-Year Consolidated Plan) by the County Commission;
5. If necessary, Action Plans may have to be amended from time-to-time in order to reallocate funding or modify program language. If the amendment is considered substantial, the criteria are outlined in this document, a formal amendment will be proposed, considered and acted upon;
6. At one of the public hearings, the Consolidated Annual Performance Evaluation Report (CAPER) must be available for public review and comment. After the completion of the program year, a new CAPER must be drafted and submitted to HUD.

The Citizen Participation Plan recognizes that as the elected officers of Davis County, the County Commissioners, have the ultimate responsibility and authority for the implementation of the Assessment of Fair Housing, the Consolidated Plan and all Community Development Block Grant program activities.

Definitions

Action Plan – The Action Plan is the one-year portion of a participating jurisdiction's Consolidated Plan. It includes the annual application for all HUD entitlement funds. Development of the Action Plan and the five-year Consolidated Plan is the primary focus of the residents participating in the Citizen Participation Plan.

AFH – The Assessment of Fair Housing is an analysis of fair housing issues and contributing factors in a program participant's jurisdiction and region that results in goals that the program participant sets forth to achieve over the program participant's subsequent planning cycle. The AFH is replacing the Analysis of Impediments to Fair Housing Choice planning process.

CAPER – The Consolidated Annual Performance Evaluation Report (CAPER) is the document used to evaluate program performance for HUD administered programs, such as Community Development Block Grant (CDBG). The CAPER reports on the annual progress made on the Five-Year Consolidated Plan through the actions identified in the annual Action Plan.

CDBG – The Community Development Block Grant (CDBG) program is a federal program created under the Housing and Community Development Act of 1974. This program provides grant funds for local governments to be used to develop viable urban communities by providing, decent housing with a suitable living environment and expanded economic opportunities to assist low and moderate income residents. Davis County's annual CDBG appropriation is allocated to programs that benefit the Urban County, which includes the thirteen participating cities, Bountiful, Centerville, Clinton, Farmington, Fruit Heights, Kaysville, North Salt Lake, South Weber, Sunset, Syracuse, West Bountiful, West Point, Woods Cross, and the balance of Unincorporated Davis County.

CDBG Review Committee – The CDBG Review Committee is five member committee comprised of one County Commissioner, three mayors (*appointed from the Council of Governments (COG)*) and a member of the Aging Services Advisory Council. The Economic Development Director and the Grants Administrator provide administrative support to the committee. The CDBG Review Committee performs an advisory capacity to the County Commission concerning planning, implementing, and assessing the CDBG programs/activities related to public service, capital expenditures, and administration expenditures. In addition, the CDBG Review Committee reviews all public service grant applications for funding and will recommend funding priorities to the County Commission.

CED – Community & Economic Development Department is the division within Davis County that is tasked with carrying out the CDBG program.

ConPlan – The Consolidated Plan is a document written by any jurisdiction participating in the CDBG program that describes the housing needs of low and moderate income residents, the homeless, and community development needs among others. The ConPlan also outlines strategies to meet the needs and lists the resources available for implementation. This document is required to receive HUD Community Planning and Development funds, and exists in forms that details housing and community development needs and strategies over five-year and one-year periods

CPP – The Citizen Participation Plan is required by HUD under 24 CFR 91.105. The CPP must be developed bay all participating jurisdictions to describe and document their efforts that will be undertaken to provide for and encourage residents to participate in the development of the

Assessment of Fair Housing (AFH), Consolidated Plan (ConPlan), any amendments to the Action Plan to ConPlan, and the CAPER.

Urban County – The Davis Urban County includes the cities of Bountiful, Centerville, Clinton, Farmington, Fruit Heights, Kaysville, North Salt Lake, South Weber, Sunset, Syracuse, West Bountiful, West Point, and Woods Cross, with the balance of unincorporated County. Davis County qualifies as an urban county because (1) it is authorized under State law to undertake essential community development and housing activities in its unincorporated areas which are not units of local general government; and (2) has a population of more than 200,000 (excluding the population of its two entitlement cities therein; Clearfield and Layton).

Citizen Participation

As required by law, the Citizen Participation Plan should both provide for and encourage public participation. CED will actively solicit participation from public and private agencies that provide assisted housing, health services, and social services, including those focusing on children, elderly persons, persons with disabilities, and the homeless. Participation by businesses, developers, nonprofit organizations, and community based and faith based organizations are encouraged to in the process of developing and implementing the Consolidated Plan.

The County will coordinate, collaborate, and consult with the Continuum of Care (*CoC, agencies, and other Emergency Solutions Grants recipients)* to analyze patterns of use and to evaluate outcomes and effectiveness for ESG and CoC projects undertaken in the County. The County will consult with public housing authorities (PHAs) operating in the County and will consider public housing needs, planned programs and activities under the consolidated plan. It will also consult on strategies for affirmatively furthering fair housing and on proposed actions to affirmatively further fair housing in the consolidated plan.

Citizen Engagement

CED will actively solicit participation from public and private agencies that provide assisted housing, health services, and social services, including those that focus on children, elderly persons, persons with disabilities, and the homeless. Participation will be sought from the public and private agencies representing non-English speaking minorities living in Davis County. The County will also consult with community based and regionally based organizations when preparing the AFH and ConPlan. The consultation process may include contacting state, county and local government agencies who serve are adjacent to and within the County boundaries.

Low-and Moderate Income Persons

The primary purpose of the programs covered by the CPP are to improve the local communities, by providing decent housing, a suitable living environment, and growing economic opportunity for all, principally low-and moderate-income people; it is important to include potential and actual program beneficiaries in all stages of the process including:

- Needs Identification;
- Priority of needs and allocation of funding as determined by high/low community priorities;
- Program oversight and delivery;
- Evaluation of program efficacy and performance.

Public Notice

It is the policy of the Davis County CDBG program to give citizens a 15-day notice of local meetings and reasonable and timely access to local meetings, information, performance reports, and records relating to the program's proposed and actual use of CDBG funds. Citizens will have not less than 30 days to comment on the development of the AFH, Action Plan, Consolidated Plan, and the CAPER. Public comments will be accepted via email or orally during a public hearing. A summary of these comments or views, accepted or not accepted, will be submitted with the final consolidated plan. A summary of reasons comments or views not accepted will also be included.

It is the policy of the Davis County CDBG program to provide public hearings as needed throughout the year to obtain citizen's views and comments. The public hearing will be publicized at least 15 days prior to each hearing date. All public meetings, workshops, and hearings are held in facilities that are accessible to people with disabilities and meet ADA requirements.

Forms of Public Notice

1) Any activity requiring a public hearing will be posted to the Community & Economic Development's homepage at https://www.daviscountyutah.gov/ced/grants
2) Newspapers of general circulation: Public Notices will be published in the legal section of the Standard Examiner at least 15 days before the date of any hearing.
3) Notice will be posted on the Utah Public Notice Website, of all public hearings, notices of funding, and other matters of public interest in regards to the CDBG program.
4) Notice will be given to organizations that have received funds or collaborated with CED in the past, neighborhood organizations, community councils, and other parties on the CED mailing list. The list includes, but is not limited to units of local government, county departments, public and private agencies that provide housing, health and social services including those that provide services to children, elderly, disabled, the homeless and other interested parties on the Davis County CDBG mailing list.
5) Notice will be given to any person or group(s) that requests information.
6) Notices may be posted using social media, at County facilities at city offices, libraries, and community partners' offices and service locations in the County.

Standard Documents

Standard documents include: copies of the proposed and final Assessment of Fair Housing (AFH), copies of the proposed and final Annual Action Plans, the proposed and final Consolidated Plan, proposed amendments and final substantial amendments, the proposed and final Consolidated Annual Performance and Evaluation Report (CAPER), the Citizen Participation Plan (CPP), and the Plan to Minimize Displacement, as well as information regarding the use of funds and other program information will be maintained by CED Staff.

Availability of Standard Documents

The public may access standard documents by contacting the Community & Economic Development Department, 61 South Main Street, Suite 304, Farmington, Utah 84025, tel: (801) 451-3279, 8 a.m. to 5 p.m., Monday through Friday.

Public Hearings and Meetings

Davis County will hold two public hearings at different stages of the program year to obtain the public's views and to provide the public with the County's response to public questions.

The County will provide timely notice of public meetings to be posed in public areas and will provide timely access to information and records relating to the County's proposed and actual use of Federal assistance, grant funds, loan funds, and program income. The County will follow the follow the requirements of the Utah Open Meetings Act as required UC §52-4-102 as amended.

The County will provide 15 or 30 days' (as per regulation) adequate advance notice prior to any public hearing. The Hearings will be held at times and locations convenient to the potential and actual beneficiaries.

All public meetings, workshops, and hearings are held in facilities that are accessible to people with disabilities and meet ADA requirements. Davis County will take reasonable steps to provide language assistance to ensure meaningful participation by non-English speaking and limited English proficiency residents of the community. Upon reasonable request, Davis County, will provide translators at public hearings and meetings.

Reasonable accommodations for individuals with disabilities or those in need of language interpretation services can be provided if five days' notice is given by calling (801) 451-3200. TTY/TDD users should call 7-1-1.

Davis County – Process

Assessment of Fair Housing

Davis County recognizes that any effort to address the needs of the County's housing and community development program goals is to identify, prioritize and set goals for the needs and fair housing policies.

1. Hearing for the Assessment of Fair Housing Needs: Davis County is required by law to hold to hold at least one public hearing during the development of the AFH and the development of the ConPlan and must provide a period of 30 calendar days, to receive comments from the community on the ConPlan or the AFH. This is the time where the review of the needs, goals, and objectives of the Assessment of Fair Housing and the Five-Year Consolidated Plan or Annual Action Plan take place, and potential changes may be proposed. The required public hearing must occur before the proposed ConPlan is published for comment.
   The public hearing regarding the needs, objectives, and the Assessment of Fair Housing will be held at least 15 days prior to the application deadline and least 120 days prior to the draft proposed Action Plan, so the County may appropriately consider and respond to comments given during this period. Comments may be received either in writing or orally at the public hearing, in preparing the final AFH or the final ConPlan. A summary of any comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AFH or the final ConPlan.
2. Public Notice – Hearing for Needs and Assessment of Fair Housing: The County will give notice to the public for the hearing on the needs and Assessment of Fair Housing, providing 15 days' advanced notice. The County will also give notice of upcoming application training workshops to be held. The notice will follow the guidelines set out in the "Public Notice" section of this Citizen Participation Plan. Copies of the Consolidated Plan, as well as the previous year's Performance Report will be available where the standard documents are distributed, and may be delivered upon request, either electronically or hard copy. Public hearings on needs will held at a time and location posted in the public notice.

Proposed Action Plan (and/or Five-Year Consolidated Plan)

In order to promote increased public accountability in the County's development of the Annual Action Plan and/or Five-Year Consolidated Plan, the following steps will be taken:

1. Notice of Funding Availability (*NOFA*): Each year Davis County will give public notice of the estimated amount of all Federal Assistance, grant funds, loan funds, and program income anticipated to be generated by the activities that may be funded with each resource. The County will also provide an estimate of the amount of funding that can be expected to benefit low- and moderate-income people. The notice of available funds will coincide with a call for funding applications for potential projects.
2. Plan to Minimize Displacement: Along with the notice of estimated funds, a summary of the County's Plan to minimize displacement of persons as a result of the County's proposed activities, and any activities likely to result in displacement, will be posted. This Plan will describe how Davis County will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.
3. Application Training: Each year Davis County will conduct at least one application training workshop for organizations and individuals representatives of low and moderate –income persons who are interested in submitting an application to obtain funding for an activity. Program objectives, eligible activities, eligible applicants, funding policies, application process and proposed evaluation and selection process will be among the topics discussed. All potential funding applicants are encouraged to contact County Staff for technical assistance before completing a grant application. Individual help is available as scheduling permits.
4. Application Deadline: The application deadline for the next Program Year will be included in the notice of funding availability, which will provide 30 days' notice.
5. Review of Eligibility: Davis County Staff, consultants and CDBG Review Committee will review the CDBG proposals for completeness and compliance with HUD regulations, eventually recommending a list of eligible activities and funding levels to the County Commission for approval. Public input is encouraged during this process.
6. Environmental Review Process: After Davis County receives applications for the CDBG funds, County Staff or consultants will begin the environmental review process. The review will be made of each project before a final determination of funding is made. No funds will be committed through a contract until the Environmental Review Record (ERR) is complete, and if needed a Release of Funds (ROF) has been obtained from HUD.

Public Hearing & Comment Period – Action Plan and CAPER

1. Public Notice/Public Hearing: Davis County will give notice of a public hearing on the Proposed Annual Action Plan and the most recent CAPER, providing 15-days' advance notice. The notice will follow the guidelines in the "Public Notice" section of this Citizen Participation Plan. The public hearing notice shall include a summary of the contents and the purpose of the Action and/or Consolidated Plan and the most recent CAPER, and shall include a list of locations where copies of the entire proposed plan and CAPER may be examined.
2. Public Review: During the 30-day public comment period, copies of the proposed Action Plan and/or ConPlan and the most recent CAPER will be made available for at the Davis County Community & Economic Development Department. Reasonable accommodations will be made for non-English speaking persons and for people with disabilities. Davis

County shall provide a reasonable number of free copies of the above mentioned documents to residents and groups upon request.

3. Public Comments: The public may comment upon the Action Plan and/or Consolidated Plan and the most recent CAPER in writing, by email and at the public hearing. Written comments should be directed to: Community & Economic Development Dept., 61 South Main Street, Suite 304, Farmington, Utah 84205.

Final Action Plan (and/or Five-Year Consolidated Plan)

Copies of the final Action Plan and/or Consolidated Plan and the Executive Summary will be made available to the public for free upon request. The Executive Summary will also be posted on the CED website. In addition copies will be made available at the locations specified in the section, "Public Access to Documents."

Amendments to the Action Plan (and/or Five-Year Consolidated Plan)

1. Amendments: The Annual Action Plan and/or the Five-Year Consolidated Plan may be amended at any time during the program year. Changes in the plan(s) will require amendments anytime there is: a change in the use of money between activities or to an activity not mentioned in the Final Annual Action Plan; or a change in the purpose, location, scope, or beneficiaries of an activity.
2. Comment Period: A "substantial amendment" is an amendment to the Annual Action Plan and/or Consolidated Plan that requires 30-days of public comment. Prior to submitting substantial amendments to HUD, Davis County will provide residents with 30-days' advance notice – advertised in the publications listed in the notice section – of an opportunity to comment whenever a substantial amendment is being proposed for the Davis County CDBG program. Davis County will consider any comments received in preparing the substantial amendments. A summary of all comments that are not accepted (that is, comments that do not result in changes to the amendment) and the reasons thereof shall be included.
3. Substantial Amendments: The following are the criteria shall be used to define which Amendments are substantial:
    a. Changes in the use of Federal program money from one activity to another;
    b. Changes to the Federal program budget for a project by an amount in excess of 25 percent of the total dollar amount or $15,000, whichever is greater;
    c. Changes to any goals, policies, or procedures identified in the Consolidated Plan;
    d. Changes in the purpose, scope, beneficiaries, or locations of the project;
    e. A change in the allocation of the priorities or method of distribution of funds;
    f. A change in the source of funding from one source to any other source, (including program income), covered by the Consolidated Plan;
    g. Cancellation of an existing project or addition of a new project;
    h. Upon HUD's written notification specifying a material change that requires the revision.
4. Minor Amendments: The following criteria shall be used to define which Amendments are minor and not considered substantial:
    a. Minor Budget Changes: Changes to the Federal program budget for a project by an amount that is less than twenty-five percent of the total dollar amount or $15,000, whichever is greater;

b. Consolidated Plan Data Updates: ConPlan data updates such as census data, income limits, and fair market rents, and similar types of data shall not be considered a substantial amendment;
c. Minor change in project location: A minor change in location on a specific property is not considered a substantial change as long as the purpose, scope and intended beneficiaries remain essentially the same;
d. Project Budget Line Item Change: The transfer of some (*but not all*) funds within a project from one approved budget line item to another approved budget line item (*e.g., construction rather than engineering*) does not constitute a substantial change.

Consolidated Annual Performance Evaluation Report (CAPER)

Davis County will hold a public hearing to gather public input on the County's annual performance and evaluation report for the last program year. The report analyzes progress towards the goals established in the previous plans with regard to the unit of measure for the project, as well as the timeliness of completion. This report also provide information on the performance of funded projects in relationship to program objectives.

1. Public Notice Requirements: Davis County will make available a proposed Consolidated Annual Performance Evaluation Report (CAPER) in order to gather public comments before submitting a final version of the CAPER to HUD. Notification of the reports' availability and comment period will be made in accordance with "Forms of Public Notice" section of this Citizen Participation Plan. Submission of the CAPER to HUD will not be less than 15-days from the notification of the proposed Report's availability for comment, and will be approximately September 30.
2. Public Review: During the 15-day public comment period, copies of the CAPER will be made available for public review at the Community & Economic Development offices. Reasonable accommodation will be made for non-English speaker and for people with disabilities.
3. Public Comments: The public may comment on the CAPER in writing. Written comments must be directed to: Community & Economic Development, 61 South Main Street, Suite 304, Farmington, Utah 84025. Davis County Davis County shall consider any comments or views in preparing the CAPER. A summary of all comments or views, and a summary of any comments or views not accepted (*that is, comments or views that do not result in changes*) and the reasons thereof, shall be attached to the CAPER.

Technical Assistance

CED will provide technical assistance to groups' representatives of person of low- and moderate-income that request such assistance to comment on the AFH, or in developing applications for funding assistance under any of the programs covered by the ConPlan, with the level and type of assistance determined by the County. This assistance does not include the provision of funds to these groups.

Procedures for Complaints and Grievances

Complaints, inquiries, and grievances related to the consolidated plan, consolidated plan amendments, the AFH, and revisions to the AFH, and the performance reports shall be submitted in writing to: Community & Economic Development, 61 South Main Street, Suite 304, Farmington, Utah 84025.

A written response shall be provided to the complaining or aggrieved party within 15 working days of the date of receipt of the written complaint or grievance.

COVID-19 Citizen Participation Plan Amendment

Due to COVID-19, Community Development Block Grant Program program(s) 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 the Davis County Citizen 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 May 31, 2020 or depending on circumstances, which may be extended by the Davis County Health Department.

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. Davis County's Citizen 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 has waived 24 CFR 91.105(c)(2) and (k) and 24 CFR 91.401 as specified below to allow Davis County to determine what constitutes reasonable notice and opportunity to comment given the circumstances related to COVID-19. Davis County may use alternative methods for public participation and will allow for reasonable notification and access for citizens. This authority is in effect until May 31, 2020 or depending on circumstances, which may be extended by the Davis County Health Department.

Davis County will implement a virtual public hearing process in order to comply with social distancing requirements. Citizens will receive reasonable notice of these meetings through notice to the State of Utah Public Notice website, and the County website and other notification means, etc. Davis County will provide the virtual public meeting through YouTube livestreaming, some or all members of the Board and meeting presenters may participate electronically via phone or video conference, as well as timely response to any comments received by the Commission office. Public comment will not be taken during the meeting, but may be submitted any time before 3:30 pm on the day of the meeting will be distributed to Board members prior to the meeting and included in the final draft of the adopted plan(s).

The Davis County Citizen Participation Plan may be amended as needed.

DAVIS COUNTY

Lorene M. Kamalu
Chair
Davis County Board of Commissioners
Date: 5/19/2020

ATTEST:

Curtis Koch
Davis County Clerk/Auditor
Date: 5-19-2020

APPROVED AS TO FORM:

Davis County Attorney

2011-141-B