

CITY OF OVERLAND PARK, KANSAS

COMMUNITY DEVELOPMENT BLOCK GRANT CITIZENS' PARTICIPATION PLAN

This Citizens' Participation Plan (CPP) sets forth the City of Overland Parks policies and procedures for citizen participation for the use of Community Development Block Grants (CDBG and Section any future HUD related programs). The Citizen Participation Plan provides an opportunity for the community to work in partnership with the City to identify needs and to allocate CDBG and HOME funds, as well as to comment on the Section 108 Economic Development Loan Application.

The City encourages citizens to participate in the review of substantial amendments to the Citizens' Participation Plan as well as the development of the consolidated plan, any substantial amendments to the consolidated plan, and performance reports and will provide opportunities for participation as outlined in this Citizens' Participation Plan.

The City especially encourages and will facilitate participation by low- and moderate-income persons, particularly those living in blighted areas and in areas where CDBG funds are proposed to be used and by residents of predominantly low- moderate-income neighborhoods. The City encourages participation and will make accomodation for the participation of minorities and non-English speaking persons, as well as persons with disabilities.

A. Citizen Comment

The Governing Body shall provide for citizens' comment and input through various means:

1. Public Hearings
 2. Published Comment Periods
 3. Citizens' Advisory Committee
- (These are discussed more fully later in the CPP)

B. Development of the Consolidated Plan and Action Plan

Consolidated Plan (Five-Year Strategy)

In developing the Consolidated Plan and annual updates, the City of Overland Park is guided by two leading principles:

1. **Customer Service:** focus program efforts on the most critical needs.
2. **Comprehensive Approach:** achieve empowerment of individuals and families while ensuring long-term economic independence.

Inherent in these principles is extensive, relevant, and ongoing citizen participation. The City believes it is essential to have widespread, meaningful participation throughout the planning process to ensure genuine community "ownership" of the plan.

The Consolidated Plan consists of three parts: a) the needs assessment, b) a community development, non-housing and housing strategic plan, and c) an action plan. Commonly known as the Consolidated

Plan, the needs assessment and community development, non-housing and housing strategic plan are updated every five years. The action plan is updated annually, reflecting annual CBDG funding allocations.

The Consolidated Plan identifies the community development, non-housing and housing strategic needs in the City, prioritizes the needs for funding, and prescribes a comprehensive strategy for addressing the needs. To maintain relevance, an annual One-Year Action Plan is developed which includes the following elements:

1. Dollar amounts proposed for each activity
2. A description and location of each activity
3. The entity responsible for implementation of each activity
4. Time frame for each activity

In all cases, the Consolidated Plan and Action Plan seek to minimize the displacement of residents from their homes or places of business.

The groups involved in the process of Consolidated Plan and Action Plan development include:

City Staff
Citizen Advisory Committee (CAC)
City Council
Citizens at large

CAC - The CAC (discussed in detail later in the CPP) is a group of Overland Park citizens appointed by the City Council that, based upon the needs of the community, makes recommendations to the Council regarding the expenditure of HUD funds and the administration of the CDBG Program. Meetings of the CAC are open to the public and the citizens are invited to attend and participate in the discussion of the policy. The date, time and location of CAC public hearings shall be advertised in the official city paper along with notices at City Hall.

The City will affirmatively publicize its Consolidated Plan, Annual Action Plan, and CAPER in publications circulated in non-English speaking communities when available, as well as English newspapers to outreach to all of the ethnic diversity of the City. Regular meetings and activities will be posted on the City website and at City Hall. Information may also be obtained by calling the City Manager's Office at City Hall or the Grant Program Coordinator at 913-895-6192.

City Council - The City Council will fulfill its role by holding public hearings and carrying out the procedures established in this Citizen Participation Plan. The City Council makes the final determination about the priority of various community needs that will guide the Council when annually allocating CBDG and HOME funds in the Action Plan.

Plan Development: The City will implement the following strategies to solicit meaningful community input in preparation of the Consolidated Plan (Five-Year Strategy). Specifically, the City will:

1. Review past year performance with the CAC committee and discuss priority needs for upcoming years.
2. Consult public agencies including City staff, adjacent local governments, economic development interests, and state and local health agencies.
3. Consult private agencies that provide health services, social services for children, services to the elderly, disabled, homeless, persons with AIDS, victims of domestic violence, and persons with alcohol/drug abuses, etc.
4. Conduct at least one public meeting during the development of the housing and community development needs assessment.
5. Since the Analysis of Impediments to Fair Housing Choice (AI) is a component of the Consolidated Plan, the Citizen Participation requirement for the Consolidated Plan applies. Therefore the City will solicit meaningful community input in the preparation of its AI.

Citizen participation during the development of the Consolidated Plan will take place at the CAC meetings, which are open to the public. The citizens are invited to take an advisory role in policy formation regarding program implementation by attending the CAC meetings and making their views known. This will be made clear in all public announcements of the CAC meetings.

Plan Adoption: The following procedures will ensure that all citizens will have a chance to influence the Final Plan. Specifically, the City will:

1. Publish a notice announcing the 30-day public comment period and public hearing on the Draft Consolidated Plan. The notice will be published in the official city newspaper and other papers and include a summary of the Draft Consolidated Plan that describes the contents and purpose and a list of the locations where copies of the Draft Plan may be examined. The notice will be published at least fourteen days prior to the public hearing.
2. The Draft Consolidated Plan will be available for public review at the following locations:

City Hall
Public Library
City website

Upon request, the Draft Consolidated Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft Consolidated Plan to citizens and groups that request copies.

3. The City Council will conduct a public hearing on the Draft Consolidated Plan.

4. At the end of the 30-day review period, the City Council will consider adoption of the Draft Consolidated Plan. The Draft Consolidated Plan will be adopted upon a majority vote of the City Council. After adoption of the Plan, the Final Consolidated Plan will be submitted to HUD. The Final Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the Final Plan.

Annual Action Plan

Plan Development: The City will implement the following strategies to solicit meaningful community input in preparation of the Annual Action Plan. Specifically, the City will:

1. Review past year performance with the CAC committee and discuss priority needs for the upcoming year.
2. Conduct one Public Hearing with the CAC to review the Draft Annual Action Plan.

Citizen participation during the development of the Action Plan will take place at the CAC meetings, which are open to the public. The citizens are invited to take an advisory role in policy formation regarding program implementation by attending the CAC meetings and making their views known. This will be made clear in all public announcements of the CAC meetings.

Plan Adoption: The following procedures will ensure that all citizens will have a chance to influence the final Plan. Specifically, the City will:

1. Publish a notice announcing the 30-day public comment period and public hearing on the Draft Action Plan. The notice will be published in the official city newspaper and other papers, and include a summary of the Draft Action Plan that describes the contents and purpose and a list of the locations where copies of the Draft Plan may be examined. The notice will be published at least fourteen days prior to the public hearing.
2. The Draft Action Plan will be available for public review at the following locations:

City Hall
Public Library
City website

Upon request, the Draft Action Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft Action Plan to citizens and groups that request copies.

3. The City Council will conduct a public hearing on the Draft Action Plan.
4. At the end of the 30-day review period, the City Council will consider adoption of the Draft Action Plan. The Draft Action Plan will be adopted upon a majority vote of the City Council. After adoption of the Plan, the Final Action Plan will be submitted to HUD. The Final Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the Final Plan.

C. Amendments to the Consolidated Plan

The City may amend the adopted Consolidated Plan and Action Plan. The following outlines the criteria and procedures to be used when amending the Consolidated Plan and Action Plan.

Substantial Amendment Criteria

Consolidated Plan (Five-Year Strategy) - The City will amend its approved Consolidated Plan (Five-Year Strategy) whenever a decision is made to propose a substantial change in allocation priorities. For the purpose of the Consolidated Plan, a "substantial change" will constitute a change equal to or in excess of 25% of the City's CDBG entitlement for a program year.

Changes in funding priority not amounting to more than 25% of a program year will not be considered a substantial change to the Consolidated Plan; no formal amendment to the Consolidated Plan requiring public review and comment will be warranted. (For example, an amendment to the Consolidated Plan is needed if the five-year Strategy identifies only a low priority need for historic preservation, but during the five-year time frame the City decides to establish a CDBG-funded historic preservation program that amounts to more than 25% of the City's annual allocation.)

Annual Action Plan - The City will amend its approved Action Plan whenever one of the following decisions is made:

1. to carry out an activity not previously described in the Action Plan;
2. to cancel an activity previously described in the Action Plan;
3. to increase the amount to be expended on a particular activity from the amount stated in the Action Plan by more than 25%; or
4. to substantially change the purpose, scope, location, or beneficiaries of an activity.

Changes in funding for an existing activity (project) not amounting to more than 25% will not be considered a substantial change to the Action Plan; no formal amendment to the Action Plan requiring public review and comment will be warranted.

Amendment Process

The following procedures will ensure that all citizens will have a chance to comment on the proposed amendment to the Consolidated Plan and Action Plan.

1. When necessary, a request for written concurrence is sent to the Project Manager at the Kansas City Field Office for the U.S. Department of Housing and Urban Development.
2. Proposed amendments are reviewed by the Citizens' Advisory Committee at a regular or special meeting for its recommendation to the City Council.
3. Publish a notice of the 30-day public comment period on the proposed amendment to the adopted Consolidated Plan and/or Annual Action Plan. The notice will be published and include a summary of the amendment and where copies of the proposed amendment may be examined.

4. The proposed amendment will be available for public review. Upon request, the amendment will be made accessible to any person with disabilities.
5. At the end of the 30-day review period, the City Council will conduct a public hearing and consider adoption of the amendment upon a majority vote of the City Council.
6. A copy of the approved amendment will be sent to the Kansas City Field Office for the U.S. Department of Housing and Urban Development.

Funding Processes not requiring Citizen Participation or Plan Amendment

Back-up Projects: The Annual Action Plan contains a list of projects to be funded for the program year with funding anticipated. During each program year, however, additional funding may become available as a result of program income, projects completed below budget, or projects canceled or delayed due to a variety of reasons. A list of various qualifying residential and commercial projects and public facility and infrastructure improvement projects may therefore be included in the Annual Action Plan and approved by the City Council for funding as back-up projects. The City may activate these back-up projects at any time when funding becomes available. The City receives HUD approval for these back-up projects along with the approved and funded projects as part of its approval for the Annual Action Plan. Initiation and funding of these projects would not constitute a “substantial amendment”, as defined above.

Emergency Assistance Activities: Emergency Assistance Activities are those immediate activities typically involving a quick repair or temporary alleviation of a sudden emergency by performing work that would otherwise be considered ineligible. There are two types of interim assistance activities.

1. Emergency Interim repairs – These activities are to prevent further deterioration of public improvements and facilities. Permanent improvements must be made as soon as practicable. Examples are: repairing streets, sidewalks, parks, playgrounds, utilities and public buildings and Neighborhood cleanup programs.
2. Alleviating Emergency Conditions which threaten public health and safety – These activities require a determination by a City Official that an emergency condition exists and requires immediate resolution. Examples include those listed above, except parks and playgrounds, and are limited to the extent necessary to alleviate the emergency.

Due to their emergency nature, interim assistance activities are exempt from the citizen participation, public hearing and legal noticing processes. The City Council, or its designee, may approve the funding after documenting the emergency nature of the activities. However, these projects are not exempt from Davis-Bacon wage rates. All interim assistance activities must still meet at least one of the national objectives of the CDBG Program to be eligible.

D. Public Hearings

As previously stated, the Governing Body will schedule one or more public hearings to obtain citizens' views on community development, non-housing and housing needs of the City, including program progress and performance. These hearings will be held at convenient times and locations which permit broad participation, particularly by low- and moderate-income persons. All public hearings will be held in buildings that are accessible to persons with disabilities. The following program information will be provided to citizens:

1. The total amount of CDBG funds available for community development and housing activity.
2. The scope of activities that may be undertaken with CDBG funds.
3. The procedures to follow to develop and approve the City's CDBG application.
4. The schedule of meetings and hearings.
5. The role of citizens in the program.

A public hearing will be held when the nature of a program amendment is substantial as defined in this plan. This hearing shall be in addition to any required during the application process.

Citizens will be notified of these hearings through the following:

Display Advertising: Fourteen days prior to each public hearing, a nonlegal notice will be published in The Overland Park Sun newspaper. These notices will indicate date, time, place and the topics to be considered.

Legal Notice: Fourteen days prior to each public hearing, a legal notice will be published in The Overland Park Sun newspaper.

The City Website:

When requested, **appropriate translation** shall be provided at all public hearings at which a significant number of non-English speaking residents may be expected to participate.

E. CDBG Statement

A proposed statement of Community Development objectives and projected use of funds, to include proposed projects and activities with costs, shall be published prior to the grant application. This document shall be published in the manner as prescribed for public hearings. Citizens shall be given the opportunity to examine its content and to submit comments on the proposed statement.

The city shall consider any comments and views received and may, if deemed appropriate, modify the proposed statement. The final Statement of Community Development Objectives and Projected Use of Funds shall be made available to the public.

F. Community-Wide Citizen Participation

Citizen participation and input on the community-wide level will be obtained through public hearings, work sessions and the CDBG Citizens' Advisory Committee.

CDBG Citizens' Advisory Committee (CAC)

The Citizens' Advisory Committee will be organized to monitor the implementation and progress of all CDBG activities. The committee will review the progress of planned activities; assess the program effectiveness in meeting local needs and review and comment on proposed allocations of annual CDBG entitlements to make recommendation to the City Council.

1. **Membership:** The committee shall be comprised of not more than twenty members. The membership shall include, to the greatest extent possible, representatives from the following segments:

- Low- and Moderate-Income Residents
- City Wards designated as eligible low- moderate-income areas
- Minorities
- Persons with Disabilities
- Elderly
- Interested Citizens
- Fair Housing Committee
- Homes Associations and Neighborhood Groups
- Social Service Organizations
- Business Community
- Development Community
- Civic Groups
- Citizens' Advisory Council on Parks and Recreation
- Overland Park Arts Commission

2. **Appointments:** The committee members will be appointed for one-year terms commencing on January 1, each year. Members may serve more than one term.

All letters of application and recommendations will be forwarded to the Mayor for consideration and appointment. The Mayor shall designate a chairperson for the committee.

In order to provide continuity in the committee's activities, members will be encouraged to **serve more than one term.**

3. **Staff Support:** Staff will provide all committee members a CDBG-CAC workbook. The workbook will contain an application schedule, a summary of CDBG regulations, use of funds to date, the previous year's recommendation, previous CDBG applications, a current Citizens' Participation Plan and other relevant material. The Grant Program Coordinator will provide direct staff support with assistance from other staff members as needed.

4. **Meetings:** The Citizens' Advisory Committee members in attendance at scheduled meetings will constitute a quorum. Minutes shall be taken and approved for each meeting.

5. **Work Sessions:** The CDBG Citizens' Advisory Committee may request a work session with the Community Development Committee of the City Council for the purpose of preparing the annual application and establishing program parameters. This meeting shall be held early in the application process.

6. **CDBG Citizens' Advisory Committee Recommendations:** The Citizens' Advisory Committee shall prepare and submit annually a recommendation regarding the use of CDBG funds. This recommendation shall be submitted to the Council prior to the beginning of the funding year being considered. The Community Development Committee may request that the CAC reconvene to consider additional requests.

G. Other Citizen and Neighborhood Participation

1. **Neighborhood Groups and Homes Associations:** Any existing neighborhood organization or homes association is invited to submit proposals or petition for a specific project to be funded through CDBG funds. The City also encourages input on all aspects of the CDBG program.

2. **Street and Storm Drainage Improvement Petitions:** The City will consider petitions where more than fifty percent of the property owners indicate the need for a storm drainage improvement district or street improvement district.

3. **Community Groups:** Any community group or social service organization is invited to submit comments on proposed projects or present proposals for new projects.

H. Program Records

A staff person will be present at all work sessions, public hearings and advisory meetings to record minutes. Minutes, program information and documents will be available for citizen review in the office of the Housing and Grant Administrator.

I. Technical Assistance

Technical assistance from the City staff in preparing proposals or organizing neighborhood meetings is available upon request.

J. Complaints

When a complaint is received regarding the Community Development Program, it will be reviewed and referred to the appropriate person for response. The City will provide a written response to complaints within fifteen working days.