THE CITY OF ASHEVILLE

**STAFF REPORT**

**City Council Meeting:** May 12, 2020

**Subject:** Updates to the Citizen Participation Plan as recommended by Community Development Staff and the U.S. Dept. of Housing & Urban Development to address a public health crisis and comply with federal regulation.

**Staff Resource(s):** Sam Powers, Community & Economic Development Director
Paul D'Angelo, Community Development Program Director
Megan Gaskell, Community Development Analyst

**Action Requested:** Approval of an updated Citizen Participation Plan.

**Background**:

- The City of Asheville is a Participating Jurisdiction (PJ) in the U.S. Department of Housing and Urban Development (HUD) 's HOME program and an entitlement community for the CDBG program. As a recipient of federal funding, the City is required to have a Citizen Participation Plan.
- In addition to existing citizen participation plan requirements, under 24 CFR 91.105(a)(2)(i) through (iii) for local governments, the Citizen Participation Plan must also encourage citizens to participate in the development of the Analysis of Impediments (AI) / Assessment of Fair Housing (AFH) and any revisions in the same manner one would encourage citizen participation in the consolidated plan, any substantial amendments to the plan and the performance report.
- The City of Asheville is required by HUD to include contingency planning for encouraging public participation for HUD funded programs in light of emergency situations such as COVID-19.

**Proposal:**

- This revised Citizen Participation Plan meets the requirements for citizen participation in the development of and access to the City's AI/AFH, 5 Year Consolidated Plan, Annual Action Plans, and any substantial amendments thereto, and the City's performance report also known as the CAPER, Consolidate Annual Performance & Evaluation Report.
- The revised proposal also includes new language around contingency planning for public participation around HUD funds in a public health emergency.

**Council Goal(s):**

- Quality Affordable Housing
- An Equitable and Diverse Community
- A Connected & Engaged Community

**Committee(s)**:

- None

**Pro(s):**

- Accepting the updated Citizen Participation Plan is a HUD requirement and keeps the City of Asheville in compliance as the PJ & Entitlement Community.
- This Plan sets guidelines for encouraging participation in HUD funding & reporting, including plans for communication via the internet and social media and extended outreach to communities potentially affected by HUD funding and those often marginalized in the participation process.
- Community Development received input from various City of Asheville Departments, including the Communication & Public Engagement and Equity & Inclusion.

**Con(s):**

- The consequence of not adopting the revised Citizen Participation Plan would be to prevent the City from meeting its requirement to HUD.

**Fiscal Impact**:

- None

**Suggested Motion:**

- Motion to accept the updated City of Asheville Citizen Participation Plan.

**Attachment(s)**

- Resolution
- Draft Updated Citizen Participation Plan

RESOLUTION 20-___

RESOLUTION AMENDING THE CITY OF ASHEVILLE'S CITIZEN PARTICIPATION PLAN

WHEREAS, as a Participating Jurisdiction and Entitlement Community receiving funds from the U.S. Department of Housing and Urban Development (HUD) the City of Asheville is required to adopt a Citizen Participation Plan that describes how the City encourages citizens to participate in the development of HUD required plans and performance reports; and

WHEREAS, the plan defines the public engagement process including, but not limited to, requirements for public notice, public meetings, public hearings and public comment; availability of and access to documents; information and records; availability of technical assistance, and making complaints; and

WHEREAS, the City's 1999 Citizen Participation Plan does not include the Analysis of Impediments / Assessment of Fair Housing as required under the new Affirmatively Further Fair Housing (AFFH) Rule effective August 17, 2015 (24 CFR Part 5, along with conforming amendments to Parts 91, 570, and 903), and which has been added into the updated Plan; and

WHEREAS, the City of Asheville is required by HUD to include contingency planning for encouraging public participation for HUD funded programs in light of emergency situations, including, but not limited to COVID-19:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City's Citizen Participation Plan last amended in 1999 and adopted is hereby revised and amended as shown on Exhibit A, attached hereto and incorporated here by reference and this version hereby replaces and supersedes all prior amendments to this Policy and the revised Citizen Participation Plan meets the requirements and recommendations of HUD.

Read, approved and adopted this 12th day of May, 2020.

_____ _____

City Clerk Mayor

Approved as to form:

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City Attorney