

# **Appendix A – Citizen Participation**



MONTGOMERY COUNTY, MARYLAND

DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

## **MONTGOMERY COUNTY DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS CITIZEN PARTICIPATION PLAN**

### **I. INTRODUCTION**

Montgomery County is committed to making local government open, accessible and responsive to its residents. Opportunities for involvement in governmental decision-making and community development issues existed prior to the inception of the Community Development Block Grant (CDBG) program and extend beyond the scope of the federal requirements. This plan outlines procedures the Department of Housing and Community Affairs (DHCA) will follow in support of the County's commitment to resident involvement and in compliance with the Department of Housing and Urban Development's (HUD's) requirements for the Consolidated Plan.

The Consolidated Plan is a document that is submitted to HUD and that serves as the comprehensive housing affordability strategy and community development plan, and which guides submissions for funding under any of the Community Planning and Development formula grant programs, including the Community Development Block Grant Program, the HOME Investments Partnership Program (HOME), the Emergency Shelter Grant (ESG) Program and the Housing for Persons with Aids program. This plan is reviewed and updated by DHCA staff as needed to reflect changes that enhance outreach and participation efforts. This plan is only one component of Montgomery County's extensive and on-going efforts to provide meaningful opportunities for all county residents to fully participate in their government.

DHCA is the lead agency responsible for overseeing the development of the Consolidated Plan. It is an executive branch agency of Montgomery County Government and its mission is to:

- plan and implement activities which prevent and correct problems that contribute to the physical decline of residential and commercial areas;
- maintain a marketplace which is fair to both landlords and tenants;
- increase the supply of new affordable housing and preserve the affordability of the existing rental housing stock;

- maintain existing housing in a safe and sanitary condition, and
- support community programs that benefit our residents.

## **II. FEDERAL REQUIREMENTS FOR CITIZENS PARTICIPATION**

The citizen participation process in Montgomery County has been designed to meet and exceed minimum federal requirements. The federal requirements which govern the programs administered by the DHCA are published in the Code of Federal Regulations at 24 CFR Parts 91, 92, 570, 574, 576, and 968. The preparation of a Citizen Participation Plan is specifically addressed at 24 CFR 91.105.

### *INFORMATION*

#### A. Types of information provided

Federal regulations require the dissemination of certain information. This information is:

- The amount of CDBG, HOME, and ESG funds expected to be available;
- The range of activities that may be undertaken with available funds;
- The estimated amount of available funds proposed to be used for activities that will benefit low and moderate income persons;
- The proposed CDBG, HOME and ESG activities likely to result in displacement, and the plans and policies developed for minimizing such displacement of persons as a result of its proposed activities; and,
- The types and levels of assistance the grantee will make available (or will require others to make available) to persons displaced by CDBG, HOME, and ESG funded activities, even if the grantee expects no such displacement to occur.

#### B. Methods of providing information and seeking input

Federal regulations require that information be provided and input be sought in certain ways:

- Public hearings - Two public hearings are required to obtain the views of citizens on housing and community development needs, non-housing community development needs, development of proposed activities, and review of program performance. The public is given a minimum of two weeks notice of the date of the hearings, and at least 30 days to provide written comments.

- Publications - Both a Consolidated Plan and a Consolidated Annual Performance Report are required. The availability of these plans is advertised in the local newspaper. Summaries and copies of the Consolidated Plan are distributed to surrounding jurisdictions, Regional Service Center offices and regional libraries to provide the public with an opportunity to comment on community development goals and strategies, the projected use of funds, and the County's performance in meeting its community development objectives. All written comments are considered and included in the final reports. Information is posted on the DHCA web site and is provided in alternative formats upon request. The Office of Community Partnerships is leading a county-wide effort to increase participation and access to information among persons with limited English proficiency.

DHCA is continuously exploring alternative public involvement techniques, attending meetings of civic associations and business groups in areas where CDBG funds are proposed to be used and reaching out through non-profit partners, through presentations to the Regional Services Centers' Citizen Advisory Boards and through participation at government-sponsored Town Hall meetings at locations throughout the County and through involvement with other boards, committees or commissions.

Input from county residents is sought in a variety of ways:

- Small group discussions, work groups and task forces are convened around topics such as affordable housing and code enforcement and to address the needs of specific groups, such as seniors, renters, persons with disabilities or the homeless.
- Events like the annual Housing Fair and the Affordable Housing Conference and activities at which DHCA is asked to participate provide opportunities to increase public awareness of community development issues, provide information about county programs (especially CDBG-funded activities), and solicit comments regarding community development needs and performance feedback.
- Community meetings are attended: staff members serve as guest speakers, meet with neighborhood and other special-interest groups, and serve on a variety of committees to explain programs and solicit comments on community development needs, goals, strategies, priorities, and the projected use of funds as described in the Consolidated Plan, as well as to discuss past performance and obtain feedback.
- Interest groups are consulted: staff members solicit input from agencies representing special interest groups, such as the Housing Opportunities Commission (HOC), the Human Rights Commission (HRC), the Department of Health and Human Services (DHHS), the Office of Community Partnerships, nonprofit service providers and others so that the opinions of low-income residents, residents of public and assisted housing, persons with disabilities, those with limited English proficiency, the homeless and others with special needs are

considered in determining needs, setting goals and priorities, and evaluating accomplishments.

- Opportunity for electronic input is provided: both HUD and the County have internet web pages which provide the public with an opportunity to view and comment on relevant information, including the most recent Consolidated Plan. Distribution of information through neighborhood “list-serves,” through email “blasts” and via links from other sites is increasing access to information and the opportunity for input.
- In accordance with federal requirements, the public is made aware of any substantial changes to activities described in the Consolidated Plan, and is provided with reasonable and timely access to information relating to the Consolidated Plan and regarding the use of CDBG, ESG, or HOME assistance received.

### **III. COMMUNITY DEVELOPMENT ADVISORY COMMITTEE**

An advisory committee has existed since 1978 to serve as the formal citizens’ participation body, acting as a link between the county and its residents. The formation of the CDAC is authorized by the County Executive through an Executive Order and staffed by DHCA. Membership on the advisory committee is through a formal recruitment process handled in collaboration and under the direction of staff in the County Executive’s office. Outreach efforts are directed at encouraging diverse membership broadly representative of the county and inclusive of those from areas in which funds are proposed to be used and those of low- and moderate-incomes.

The committee’s primary responsibilities include the following:

- Conducting an annual public hearing related to community development needs, past community development performance, and the development of the Consolidated Plan.
- Reviewing and recommending CDBG and ESG projects for funding.
- Reviewing and commenting on the draft Consolidated Plan.
- Making recommendations to the Director of DHCA, the County Executive, and the County Council on the use of CDBG and ESG funds for the county.
- Commenting on status reports from DHCA staff on the planning, monitoring, evaluation, and effectiveness of ongoing community development projects, and reviewing any proposed changes to the Consolidated Plan.

### **IV. MEMBERSHIP**

The CDAC is composed of a maximum of 15 members who are broadly representative of the county’s residents, as noted above. Individuals interested in serving on the CDAC are notified through public advertisements that the committee is seeking new members. Community

organizations are also notified of vacancies on the committee, with staff conducting targeted outreach to increase awareness of opportunities for service among those groups that may be under represented on the committee, and who may not be likely to respond to public advertisements. Prospective new members submit letters of interest to the County Executive, who selects and appoints all representatives based on DHCA staff recommendations.

The criteria for appointment is a familiarity with problems of low income neighborhoods in the county, familiarity with or interest in the problems of special needs populations, and a willingness to serve. The degree to which the applicant enhances the diversity of the committee is also a consideration. Persons must be willing to devote a significant amount of volunteer time during the year, particularly during the review and evaluation process of CDBG/ESG applications (normally during the months of October and November, and the first week in December).

Those persons who currently serve on a board, committee, or commission established by the County Council or County Executive, or who are county employees, employees of the HOC, the Maryland National Capital Parks and Planning Commission (MNCP&PC), or any local government, or who are elected officials of any federal, state, or local government are not eligible for membership on the CDAC.

#### **V. TERMS FOR APPOINTMENT**

Members serving on the CDAC are appointed to serve a three year term. Members may be reappointed by the County Executive no more than once. The Chairperson of the CDAC is designated annually by the County Executive. This appointment is based on leadership abilities demonstrated from the previous year's service on the committee. The Chairperson may serve no more than two years in that role.

#### **VI. HOUSING LOAN REVIEW COMMITTEE**

The Housing Loan Review Committee (HLRC) is a diverse group of county staff who are designated by the Director of DHCA to review funding proposals for multi-family housing developments. The committee makes recommendations to the director regarding the allocation of funds and conditions for funding for the proposals. The proposals, from private and non-profit developers, are for loans funded with the County's federal HOME and/or CDBG funds, or local Housing Initiative funds. The loans are used to acquire, rehabilitate, and/or develop additional affordable housing for persons with low and moderate incomes. Currently the committee is comprised of one representative from the Office of Management and Budget (OMB), one representative from the Department of Health and Human Services (DHHS), one representative from the Department of Finance, and three representatives from DHCA. Members of the committee are knowledgeable in affordable housing development, finance, and/or management. All are committed to providing affordable housing to low and moderate income persons, including those with special needs. The committee has regular monthly meetings, but may meet more frequently if there are proposals ready for review. Members do not serve for specified terms and recommendations are reached by consensus.

The HLRC has developed threshold criteria and funding preferences for all housing proposals. The committee applies these criteria and preferences to proposals as it develops its recommendations. These comprehensive criteria assess the following aspects of each proposal:

- compliance with the funding program’s mission statement;
- public purpose;
- neighborhood needs assessment;
- financial feasibility and financial need;
- leveraging;
- cost reasonableness;
- total county request;
- project design
- physical assessment (of any existing structures to be rehabilitated)
- market feasibility;
- readiness to go;
- community support;
- availability of support services (if applicable);
- development team capacity; and,
- land use and zoning.

#### **VII. SUBCOMMITTEES**

From time to time, the full committees of either the CDAC or the HLRC may create subcommittees to further examine proposed activities and/or may invite others to its meetings for the purpose of providing information or input, thereby broadening the level of public participation.

#### **VIII. HOUSING AND COMMUNITY AFFAIRS PROGRAM INFORMATION**

DHCA promotes interest and involvement in the community development program by maintaining a steady flow of information to the community and providing meaningful opportunities for input. Staff attends community meetings and uses visual display boards, maps and a variety of means to convey information. The department has a Limited Access Plan for outreach to persons with limited English proficiency. Information is provided in alternative formats upon request to accommodate persons with disabilities.

Current information about the ESG, CDBG, and HOME programs, the citizen participation process, the amount of funds available, the range of activities which may be undertaken and those that have been previously funded, ineligible activities, the application development and review process, and other important program requirements is provided. This information is distributed widely, especially at the time planning begins for the next program year. Non-profit groups representative of low and moderate income persons are given technical assistance in developing funding proposals upon request.

Information is provided electronically and on the DHCA web site. Limited “hard copies” of current publications and announcements are available for reference and duplication at the Regional Service Centers and at regional county libraries. Staff also provides “hand-outs” as requested when participating in outreach events or community briefings.

At least ten days prior to each public hearing, notice is published in easily readable type in one or two newspapers of general circulation. The notice includes the date, time, place, procedures of the hearing, and topics to be considered. Reasonable efforts are made to publicize hearings by other means, particularly to those groups representing persons living in public housing, those who have special needs, such as persons with limited English proficiency, persons with disabilities or those who are homeless. Information is available in alternative formats upon request and hearings are conducted in accessible locations.

Documents relevant to the HOME, ESG, and CDBG programs are available for citizen review in the DHCA from 8:30 a.m. to 5:00 p.m. on regular working days.

The following materials are available for review by interested persons:

- All mailings and promotional material;
- Records of hearings;
- All key documents, including prior applications, letters of approval, performance reports, other reports required by HUD, and the approved application for the current year;
- Copies of the regulations and issuances governing the program; and
- Explanation of important program requirements, such as contracting procedures, environmental policies, fair housing and other equal opportunity requirements, relocation provisions, and federal labor standards.

Copies of the proposed and approved Consolidated Plan are placed in Regional Service Centers and regional libraries. Additionally, the plan is available for review and public comment on the department’s web site and offices. Interested parties are given the opportunity to comment on the draft plan.

A notice which announces that the plan is available to interested persons upon request is published in a newspaper of general circulation once the draft Plan has been submitted to HUD for approval. The notice also includes the procedure to be followed if persons wish to object to approval of the plan by HUD.

### **IX. SCOPE OF PARTICIPATION**

DHCA continues to encourage the involvement of county residents in all stages of the planning, implementation, and evaluation process. While there are federal submission deadlines and formal public comment periods with which the county must comply for the submission of certain documents, the process of soliciting public input is ongoing, driven not by time constraints but by the county’s commitment to be responsive and accountable to its residents, the county’s

commitment to continuous improvement in the delivery of services, and the county's commitment to the achievement of results.

### **X. COMPLAINTS**

All unresolved complaints are referred to the Director of DHCA. Reasonable effort is made to provide responses, written where necessary, within 15 working days after a complaint has been received. If a response is not completed within 15 days, the appropriate individual will be contacted and provided an explanation for the delay.

### **XI. TECHNICAL ASSISTANCE**

Technical assistance is provided to:

- Groups representative of persons of low- and moderate-income who request assistance, so they may participate in planning, implementing, and assessing the program.
- Groups representative of low- and moderate- income persons, and groups of residents of low- and moderate- income neighborhoods, which request assistance in developing proposals and statements of views.
- Organizations proposing to provide services to the homeless and other special needs populations.

Technical assistance is provided by DHCA staff members. When necessary or required, DHCA will conduct workshops to provide technical assistance on the various HUD-funded programs it is charged with implementing, including CDBG, ESG, and HOME.

### **X. CRITERIA FOR SUBSTANTIAL AMENDMENT**

Amendments to the Consolidated Plan are made whenever *any* of the following occur:

1. There is a change in allocation priorities or a change in the method of distribution of funds;
2. An activity not previously described in the action plan will be carried out; or,
3. There is a change in the purpose, scope, location or beneficiaries of an activity.

A change will be considered substantial to the extent that the amount involved in any one change is in excess of \$300,000, and the change would be from one eligible activity to another and the category of beneficiary (e.g. the homeless, the elderly, the disabled) would be altered.

To seek input prior to implementing any substantial change, a notice of the change will be published in a newspaper of general circulation and on DHCA's web page not less than thirty (30) days prior to implementing the change. Written comments will be considered, and a summary of these comments will be attached to the substantial amendment. If a comment is not accepted, the reasons for non-acceptance will be included.



## CDAC Proposed Activity Schedule

Activity Schedule  
DHCA/CDAC  
July 1, 2012 - June 30, 2013

All dates are approximate and subject to change

| <b>DATES</b>                          | <b>ACTIVITIES</b>  | <b>COMMENTS</b>   |
|---------------------------------------|--|---|
| Mid - July, 2012                      | Proposed project applications available for distribution to applicants for CDBG, HOME, and ESG Funding.  | Providing applications by this date provides applicants ample time to develop a sound proposal. Prior applicants and citizens/groups who have called DHCA to inquire about availability of funds are on a mailing list. |
| Mid - August to Mid - September, 2012 | DHCA prepares preliminary list of Departmental projects and drafts CDBG-Funded Capital Improvement Program (CIP) projects and forwards to Director for review. | Departmental staff reviews ongoing projects and new projects requiring CDBG, HOME, or ESG assistance obtaining additional information as appropriate.   |
| Mid - Late April, 2012                | Public announcements for new CDAC Advisory member applicants.  | Provides open and broad recruitment effort to solicit new members for the Advisory Committee.   |
| August/September, 2012                | Appointment to CDAC by County Executive.   | County Executive makes appointments and designates Chair  |
| By mid - September, 2012              | Preliminary CDBG-funded CIP submitted to OMB.  | Comply with County budget process for CIP.  |
| Early July, 2012                      | Briefing session for prospective new CDAC members  | Session designed to explain purpose and time commitment involved, and give brief overview of CDBG program and process.  |
| Mid - July, 2012                      | Complete review process for new CDAC members.  | Departmental staff interview applicants and make recommendations to the County Executive.   |

|                              |   |  |
|------------------------------|---|--|
| Mid-September , 2012         | Deadline for submitting project applications for CDBG, ESG and HOME (HOPWA funds are distributed via regional allocation).                            | Proposed project applications accepted by DHCA until close of business.  |
| Early October, 2012          | Staff reviews of applications received. Solicits comments from appropriate agencies, local governments, and organizations.                            | Staff determine if projects are eligible and applications complete. Check for duplication of services and evaluate comments of others. |
| Early October, 2012          | Public Notice listing all CDAC meetings distributed to Government Centers, libraries, etc.  | Provide broad dissemination of information regarding committee process.  |
| Early October, 2012          | Public hearing on community development needs and Grantee Performance.  | Provides interested and affected parties an opportunity to express their needs and comment of performance.                             |
| Mid-October to December 2012 | Staff and CDAC review project proposals   | CDAC ranks projects and establishes funding priorities   |
| January, 2013                | Director submits CDAC recommendations on proposed projects to County Executive  | Finalize budget recommendations for CDBG & ESG for County Executive consideration.   |
| Early April, 2013            | County Council hearings on proposed budget as presented in the projected use of funds contained in the annual Action Plan.                            | Provide interested and affected parties an opportunity to comment on CIP and Operating Budgets including associated activities.        |
| Late April, 2013             | Proposed Action Plan advertised and made available for citizens and circulated among surrounding jurisdictions and the State for review and comments. | Provide interested and affected parties an opportunity to examine and comment on the draft Action Plan                                 |
| Mid May, 2013                | County Council approval of proposed projects.   | Council reviews proposed projects to be funded.  |
| June 1, 2013                 | Council formally adopts budget.   |  |
| Continuous                   | Respond in a timely manner to all written inquiries, comments, and complaints about the programs funded through the Consolidated Plan                 | Provides response to interested and affected parties. Helps identify and resolve problems and misunderstandings.                       |