

CITIZEN PARTICIPATION PLAN (CPP)
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG)
CITY OF MENIFEE
CALIFORNIA



City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586
(951) 672-6777
www.cityofmenifee.us

REVISED May 2020 (Revision starts on pg 14)
CITY COUNCIL RESOLUTION NO. _____

PURPOSE

The purpose of the Citizen Participation Plan is to comply with Title 24, Housing and Urban Development (HUD), of the Code of Federal Regulations, Subpart B Citizen Participation and Consultation, Section 91.105 (24 CFR Part 91, Section 91.105). In accordance with this section of federal law, the City of Menifee is required to adopt a Citizen Participation Plan that sets forth its policies and procedures for citizen participation in the development of its consolidated plan, any substantial amendments to the consolidated plan, and the performance reports. The Citizen Participation Plan also includes the City's plans to minimize displacement of persons and to assist any person displaced by eligible CDBG activities.

TERMS & DEFINITIONS:

AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH): Annually the City must certify that it is affirmatively furthering fair housing. As part of its Five-Year Consolidated Plan process, the City must prepare either an Analysis of Impediments (AI) to Fair Housing Choice or an Assessment to Fair Housing. Either plan identifies actions that, when taken together, address significant disparities in housing needs and opportunities. As provided in the rule, AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws. The duty to affirmatively further fair housing extends to all of a program participant's activities and programs relating to housing and urban development."

ANALYSIS OF IMPEDIMENTS (AI) TO FAIR HOUSING CHOICE: This Analysis of Impediments to Fair Housing Choice (AI) is a requirement of the U.S. Department of Housing and Urban Development (HUD) under the federal Community Development Block Grant (CDBG) statute. The AI examines local housing conditions, economics, policies and practices in order to ensure that housing choices and opportunities for all residents are available in an environment free from discrimination. The AI assembles fair housing information, identifies any existing impediments that limit housing choice, and proposes actions to mitigate those impediments. HUD may permit the AI to be used as a substitute for the Assessment for Fair Housing when the City prepares the 2022-2026 Consolidated Plan. Until program participants are required to submit an AFH under the AFFH rule, the program participant must continue to conduct in accordance with existing HUD regulations.

ASSESSMENT OF FAIR HOUSING (AFH): If HUD requires it in place of the AI, the City would prepare and submit an AFH, when the 2022-2026 Consolidated Plan is due. The AFH is an analysis of fair housing data, assessment of fair housing issues and contributing factors,

and identification of fair housing priorities and goals. The four fair housing issues that program participants must assess include:

1. Patterns of integration and segregation;
2. Racially or ethnically concentrated areas of poverty;
3. Disparities in access to opportunity; and
4. Disproportionate housing needs.

ANNUAL ACTION PLAN: A one year (July 1 through June 30) planning document, detailing the approved funding allocations for specific eligible activities. Submitted to HUD 45 days prior to the beginning of the program year.

CDBG: Community Development Block Grant; a HUD grant which provides for a variety of community development programs that benefit low- and moderate-income persons.

CAPER: The Consolidated Annual Performance Evaluation Report (CAPER) is prepared at the end of the program year to detail how funds were actually expended and the extent to which these funds were used for activities that benefited low and moderate income people. Submitted to HUD within 90 days of program year end.

FIVE-YEAR CONSOLIDATED PLAN: A five-year planning document and application for funding which establishes the City's priorities and strategies for use of HUD administered funding.

HUD: U.S. Department of Housing and Urban Development, the federal agency which administers and provides guidance for the Consolidated Plan process and use of federal funds such as CDBG.

LOW- AND MODERATE-INCOME PERSONS: An individual from a household with a total income that does not exceed eighty percent (80%) of the median household income for the area adjusted for family size.

Pursuant to HUD established definitions, there are certain categories of persons which are "presumed" to be low and moderate income including:

- Abused children
- Battered Spouses
- Elderly persons (62 years of age or older)
- Homeless persons
- Illiterate persons
- Migrant farm workers
- Persons living with AIDS
- Severely disabled adults

NATIONAL OBJECTIVE: In order to be eligible for funding, every CDBG-funded activity must qualify as meeting one of the three national objectives of the program:

- ❖ Benefiting low- and moderate-income persons,

- ❖ Preventing or eliminating slums or blight, or
- ❖ Meeting other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, be of recent origin, and other financial resources are not available to meet such needs.

PROTECTED CLASSES (FEDERALLY PROTECTED CLASSES):

Race	Refers to a family, tribe, or group of people coming from the same common ancestors.
Color	Refers to the color of an individual's skin
Religion	Refers to all aspects of religious belief, observance, and practice
Sex	Includes gender (male or female), gender identity, and gender expression. Also includes, but is not limited to, pregnancy, childbirth, or conditions related to pregnancy or childbirth. <u>Gender Expression:</u> a person's gender-related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. <u>Gender Identity:</u> refers to one's internal, personal sense of being a man or a woman.
National Origin	Refers to the country in which a person was born, or from which the person's ancestors came.
Familial Status	Refers to a situation where there is one or more persons under age 18 who reside with a parent, legal guardian, etc.
Disability	Refers to both physical and mental disabilities.

PROTECTED CLASSES (ADDITIONAL CALIFORNIA PROTECTED CLASSES):

Age	Refers to the length of time a person has been alive.
Marital Status	Refers to being single, married, divorced, or widowed.
Ancestry	Refers to an individual's line of descent or lineage.
Source of Income	Applies to lawful, verifiable income paid directly to the tenant.
Medical condition	Refers to having any medical condition.
Sexual Orientation	Refers to heterosexuality, homosexuality, and bisexuality.
Gender identity and gender expression	California's Gender Nondiscrimination Act, enacted in 2012, protects transgender and

	gender non-conforming people from housing and employment discrimination.
Genetic Information	Refers to a landlord requesting information about genetic traits of an individual or the family.
Arbitrary Factors	Refers to a random choice or personal whim, rather than any reason or system.

SUBSTANTIAL AMENDMENT TO THE ASSESSMENT OF FAIR HOUSING (AFH):

There is a significant revision involving a material change in the AFH pursuant to 24 CFR 5.164(a)(1) or upon HUD's written notification specifying a material change that requires the revision. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances.

AFFIRMATIVELY FURTHER FAIR HOUSING (AFFH) CONSULTATION

Pursuant to the Affirmatively Further Fair Housing (AFFH) Rule enacted in 2015, the City's Citizens Participation Plan was amended as of May 3, 2017 to incorporate the requirements of the AFFH Rule.

Background:

The AFFH Final Rule includes a requirement for certain HUD grantees (PHAs and CPD block grant Consolidated Planning agencies) to conduct an Assessment of Fair Housing (AFH) planning process. Pursuant to guidance issued by HUD on January 18, 2017, the City of Menifee's first AFH would be due to HUD 270 days prior to the next Consolidated Plan due for the program year that begins July 1, 2022, if required by HUD. For the 2017-2021 planning cycle, HUD was required the City to prepare an Analysis of Impediments to Fair Housing Choice (AI). The City may prepare an AI in place of the AFH, if permitted by HUD. In doing so, the AI would identify impediments to fair housing choice and establish recommended actions to affirmatively further fair housing choice.

The amended Citizen Participation Plan addresses Sections 91.100 and 91.105 of HUD's Consolidated Plan regulations, as amended on July 16, 2015 and Section 5.158 of HUD's Affirmatively Furthering Fair Housing Final Rule. This Citizen Participation Plan shall be effective until amended or superseded.

GENERAL POLICY STATEMENT

It is the policy of the City of Menifee to encourage citizen participation in the development of its initial and future Consolidated Plans, its Annual Action Plans, its Consolidated Annual Performance and Evaluation Reports (CAPER), and AFH/AI. The City will hold at least two public hearings per year to obtain citizens' views and to respond to proposals and questions. The hearings will be conducted at a minimum of two different stages of the program year; generally one for adoption of the Consolidated Plan or Annual Action Plan in May, and the second to review the Consolidated Annual Performance and Evaluation Report (CAPER) in September. Additionally, the City will seek citizen participation if any substantial amendments are proposed to the Consolidated

Plan or the Action Plans or if the City applies for Section 108 loan assistance.

Citizen participation efforts include, but are not limited to, issuing public notices, conducting public hearings, sponsoring community meetings and workshops, and making draft documents available for public review. Specific procedures are outlined later in this document. The City has placed special emphasis on encouraging participation by low- and moderate-income residents who live in areas where the CDBG funds to be used and in predominately low- and moderate- income neighborhoods of the City.

Additional general policies:

Adequate Public Notice

Any CDBG regulation requiring "reasonable notice" shall be construed to be a 30-day public notice placed in the Press-Enterprise and Unidos newspapers and posted on the City's website, unless otherwise indicated.

Forms of Public Notice

Public notices will be issued in the following forms, as appropriate:

- Public notices published in the Press-Enterprise and Unidos, local newspapers with regular circulation.
- Dates or notices displayed as *News* or *Calendar* on the City's website.
- Dates, notices, informational items posted on the City's on-line newsletter.
- Dates, notices, events through the City's *NotifyMe* e-mail notification system.
- Informational flyers announcing community meetings posted at the Paloma Valley Library, the Sun City Library, the Romoland Library, the Kay Cenicerros Senior Center, or the Marion V. Ashley Community Center.
- E-mails to persons on the CDBG mailing list.
- E-mails to local service or community organizations.

Public Access to Documents

Copies of the Final Consolidated Plan, Annual Action Plan, CAPER, AI, and any Section 108 Applications, shall be available for review at Menifee City Hall. Requests for access to any other documents or records pertaining to the City's CDBG program should be made in writing and addressed to the Menifee City Clerk, 29844 Haun Road, Menifee, CA 92586.

Response to Public Inquiries Staff or consultants shall respond to written requests for information, comments or complaints within fifteen (15) working days from date of receipt.

Correspondence may be addressed to:
City of Menifee
CDBG Program
Attn: CDBG Coordinator

29844 Haun Road
Menifee CA 92586
(951) 723-3713

City's CDBG Mailing List

If a person or agency wishes to be notified of meetings and hearings and the availability of documents described in the Citizen Participation Plan, they should make that request to the CDBG Coordinator.

Public Meetings

Public meetings shall be held at locations accessible to people in wheelchairs or otherwise mobility impaired. Provisions will be made to accommodate persons with other disabilities and translators will be made available for persons who do not speak English when written requests are made at least five working days prior to a public meeting.

Meeting the Needs of Non-English Speaking Persons

For local meetings and other public events in areas with considerable non-English speaking populations, translators can be provided and meeting materials made available in in both English and Spanish. The City will make every effort to ensure that Limited English Proficient (LEP) persons have meaningful access to federally funded programs and services as is required under Title VI of the Civil Rights Act of 1964.

Access for Persons with Disabilities

It is the policy of the City of Menifee that there shall be no discrimination against persons because of race, religion, age, creed, color, sex, disability, sexual orientation, national origin, marital status, veteran's status or political belief or affiliation and that equal opportunity and access to facilities shall be available to all. The City is committed to providing equal access in its programs, services, and activities for persons with disabilities. Special accommodations or materials in alternative format, under the Americans with Disabilities Act, are available upon request. In addition, accommodations will be made, upon request, for attendees who are either visually or hearing impaired. Requests must be made at least 72 hours prior to meeting. Later requests will be accommodated to the extent feasible. Please call the City Clerk's office at (951) 672-6777, from 8:00 a.m. to 5:00 p.m., Monday through Friday.

ELIGIBLE ACTIVITIES

HUD awards grants to entitlement community grantees to carry out a wide range of community development activities directed toward revitalizing neighborhoods, economic development, and providing improved community facilities and services. Entitlement communities develop their own programs and funding priorities. However, grantees must give maximum feasible priority to activities which benefit low- and moderate-income persons. A grantee may also carry out activities which aid in the prevention or elimination of slums or blight. Additionally, grantees may fund activities when the grantee certifies that the activities meet other community development

needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community where other financial resources are not available to meet such needs. CDBG funds may not be used for activities which do not meet these broad national objectives.

Eligible CDBG activities include, but are not limited to:

- Acquisition of real property;
- Relocation and demolition;
- Rehabilitation of residential and non-residential structures;
- Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes;
- Public services, within certain limits;
- Activities relating to energy conservation and renewable energy resources; and
- Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities.

Ineligible CDBG activities include, but are not limited to:

- Acquisition, construction, or reconstruction of buildings for the general conduct of government;
- Political activities;
- Certain income payments; and
- Construction of new housing by units of general local government.

DESCRIPTION OF DOCUMENTS SUBJECT TO CITIZEN PARTICIPATION

Consolidated Plan

- The Consolidated Plan becomes the application for funding under the following Community Planning and Development formula grant programs: CDBG, HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grants (ESG). The City receives a direct funding allocation from HUD for the CDBG program but not the HOME, HOPWA or ESG programs.
- The Consolidated Plan is updated every five years.
- The five-year Consolidated Plan identifies long-term housing and non-housing community development needs and goals, which serve as the criteria against which HUD will evaluate the City's plan and its performance under the Plan.
- The Plan includes certifications that the City will give maximum feasible CDBG funding priority to activities that benefit low- and moderate-income persons and that the City will affirmatively further fair housing.

- Any proposed changes to the Consolidated Plan that affect the Plan's goals and objectives must be processed through a Substantial Amendment to the Consolidated Plan.

Citizen Participation Plan

- The City must provide citizens with a reasonable opportunity to comment on the original Citizen Participation Plan and on any amendments to the Plan.
- The Citizen Participation Plan must include specific minimum requirements for the development and adoption of a Consolidated Plan and its components.
- Any proposed changes to the Citizen Participation Plan must be processed through a Substantial Amendment to the Consolidated Plan.

Annual One-Year Action Plans

- The Annual One-Year Action Plan identifies projects to be implemented in the fiscal year to achieve the long-term goals described in the Consolidated Plan.
- It is through the One Year Action Plan that funding availability will be announced, proposals for funding will be considered, and projects or programs will be selected for funding.

Consolidated Annual Performance Evaluation Report (CAPER)

- The CAPER assesses the City performance in meeting its housing and community development goals as outlined in the Annual One-Year Action Plan and demonstrates how activities undertaken in the fiscal year addressed the City's five- year priorities and met HUD requirements.

The CAPER also discusses changes the City intends to make in its action plan, as a result of its annual assessment.

Assessment of Fair Housing (AFH)/Analysis of Impediments to Fair Housing Choice

- Either the preparation of a AFH or AI is required every five (5) years. The AFH/AI is an analysis of fair housing issues 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 coming Consolidated Plan planning cycle. If required by HUD, the City must prepare, adopt and submit its initial AFH for HUD review no later than 270 calendar days prior to the start of the following program year. Subsequent AFHs must be submitted 195 days prior to the start of the following program year. This schedule will allow the City to consider any fair housing issues when developing the City's Consolidated Plan.

Based on the Affirmatively Further Fair Housing (AFFH) Rule enacted in 2015 and informal consultation with HUD, the City of Menifee received less than \$500,000 in 2015. As such its initial Assessment of Fair Housing (AFH) would be due on October 4, 2021. 24 C.F.R. § 5.160(a)(1)(i)(B). Prior to that time, the City would be required to comply with the regulations that were in place prior to August 17, 2015. 24 C.F.R. § 5.160(a)(3). That means that the City must continue to "conduct an analysis of impediments to fair housing choice within the jurisdiction, take actions to overcome the effects of any impediments identified

through that analysis, and maintain records reflecting the analysis and actions in this regard." 24 C.F.R. § 91.225(a)(1).

In preparing its AFH/AI the City will use HUD provided data, local data and knowledge, community engagement and participation to complete its analysis and establish goals related to fair housing issues.

Section 108 Loan Application

- The Consolidated Plan may include a Section 108 loan guarantee instrument, whereby, up to five times the City's annual allocation may be encumbered and used for a large-scale capital improvement project.

Substantial Amendments

- A Substantial Amendment to the Consolidated Plan must be adopted if the City alters its housing goals or objectives, or its non-housing goals or objectives.

24 CFR Section 570.505 Use of Real Property

- If changes are proposed within (5) five years after the closeout of a grant program to real property that was acquired or improved using CDBG funds in excess of \$25,000, a public hearing regarding the change is required.

Applications for other Federal Grants

- Submission of an application for any other federal grant requires a public hearing.

PURPOSE AND FUNCTION OF THE MENIFEE CITIZENS ADVISORY COMMITTEE (MCAC)

The Menifee Citizens Advisory Committee ("MCAC" or the "Committee") shall serve as an advisory body to the City's CDBG program, representing all residents of Menifee especially those directly affected by the CDBG Program. The role of the MCAC is to provide input regarding all phases of the CDBG programs, and effectuate and encourage citizen participation from all individuals, especially low- and moderate-income persons and residents of Community Development target areas.

The advisory services of the MCAC include, but are not limited to, the formation of the Consolidated Plan, Annual Action Plan, Public Services funding recommendations for City Council consideration, and year end performance (CAPER) review. However, the Committee or its officers will have no powers to make administrative decisions or direct staff actions. The Committee shall facilitate community involvement regarding housing and non-housing community development activities and shall serve as a forum to hear citizen concerns, priorities, views and proposals.

The MCAC will meet as a formal committee, with all meetings posted and agenzized encouraging public attendance.

The Finance Director or his/her designee shall provide technical assistance to the Committee and shall be the liaison between the Committee and the City Administration.

Conflict of Interest

MCAC members must comply with all federal regulations, specifically those listed under 24 CFR 570.611 for the CDBG Program, 24 CFR 92.356 for the CDBG Program, which addresses conflicts of interest, as same may be amended from time to time; and any other laws, regulations or ordinances affecting conflicts of interest. All City of Menifee and/or HUD legal opinions concerning MHAC conflicts of interest will be followed.

City of Menifee employees or appointed or elected officials directly involved with the utilization or approval of community development funds and/or expenditures are ineligible for membership on the MCAC. Moreover, neither MCAC members nor firms who employ MCAC members may provide consulting or other services to sub-recipients.

CITIZEN PARTICIPATION PROCEDURES BY TYPE OF DOCUMENT

Consolidated Plan

1. To obtain the community's input in assessing the City's housing and community development needs in the planning stages of the Consolidated Plan, the City staff will conduct a CDBG Needs Assessment Community Meeting.
 - a. Informational notices in English and Spanish will be distributed to residents at least 15 days prior to the meeting date. Distribution will be through the postings at the Kay Cenicerros Senior Center, the Marion V. Ashley Community Center, the Paloma Valley Library, the Sun City Library, the Romoland Library, the City's website calendar, the City's "Notify Me" e-mail system, and other means as determined necessary.
 - b. A public notice will be placed in the Press-Enterprise and Unidos, 15 days preceding the date of the meeting.
 - c. The location of the meeting will be included in the public notice and information notices.
 - d. An email will be sent to those persons and agencies on the City's CDBG mailing list.
2. To obtain professional input in assessing the City's housing and community development needs in the planning stages of the Consolidated Plan, City staff and/or consultants will meet with the following agencies or organizations:
 - a. County of Riverside Economic Development Agency
 - b. Housing Authority of the Riverside County
 - c. County of Riverside Department of Public Social Services, Homeless Programs Unit
 - d. Fair Housing Council of Riverside County
 - e. Applicable City Departments
3. Technical assistance will be provided to organizations and individuals who provide services to low- and moderate- income persons and may be interested in submitting a proposal to obtain funding for an eligible activity. All potential applicants are encouraged to contact the City's CDBG liaison for technical assistance before completing a proposal form.
4. Upon completion of the Draft Consolidated Plan, the City will encourage its review

and comment in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents:

- a. A notice will be sent to the agencies listed in item 2 above that the Plan is available for review and comment on City website.
 - b. At a minimum, a public notice will be sent to all interested parties on the City's CDBG mailing list and will be placed in the Press-Enterprise and Unidos, the Paloma Valley Library, the Sun City Library, the Romoland Library, and posted on the City's website announcing the Draft Consolidated Plan is available for a 30-day public review at Menifee City Hall. The notice will also indicate the date, time, and location of the City Council public hearing for adoption of the Final Consolidated Plan. The public notice will include:
 - The amount of CDBG assistance expected to be received during the plan duration;
 - The range of activities that are proposed under the Consolidated Plan using CDBG funds;
 - The estimated amount of CDBG funding to benefit low- and moderate- income persons during the plan duration;
 - All comments received in writing or orally will be summarized and attached to the Final Consolidated Plan.
5. The City Council will conduct a public hearing to consider adoption of the Final Consolidated Plan 30 calendar days after making the Draft Plan available for public review. The Final Plan shall include a listing of the written public comments received and responses to those comments.
 6. Subsequent to adoption, a Substantial Amendment to the Consolidated Plan is required if the Plan's housing goals or objectives are altered or if the Plan's non housing goals or objectives are altered.

Citizen Participation Plan

1. Is intended to provide for and encourage citizens to participate in the development of the Consolidated Plan, any substantial amendments to the Consolidated Plan, and the CAPER.
2. The original Citizen Participation Plan will be adopted by resolution following a public hearing.
3. Subsequent to adoption, a Substantial Amendment to the Consolidated Plan is required if the Citizen Participation Plan is altered.

Annual One-Year Action Plan

1. To assist in the drafting of the Annual One-Year Action Plan, a public workshop will be held by the City to discuss the CDBG program, community needs, funding availability, and the process for applying for CDBG funds. Every five years, the public workshop will be held jointly with the Consolidated Plan workshop.
 - a. A notice of the meeting time and content will be sent to all funding

- subrecipients, current and past, at least 15-days prior to the meeting date.
- b. A notice of meeting time and content will be sent to all persons and agencies on the City's CDBG mailing list at least 15 days prior to the meeting date.
 - c. At a minimum, a 15-day public notice will be placed in the Press-Enterprise and Unidos newspapers and posted on the City's website announcing the purpose of the meeting and its time and location.
2. Upon completion of the Draft Annual Action Plan, the City will encourage its review and comment in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents.
 - a. A public notice will sent to all identified interested parties on the City's CDBG mailing list and will be placed in the Press-Enterprise and Unidos newspapers and posted on the City's website announcing the Draft Annual Action Plan is available for a 30-day public review at Menifee City Hall.
 - b. The notice will also indicate the date, time, and location of the City Council public hearing for the adoption of the Final Annual Action Plan.
 3. The City Council will conduct a public hearing to consider adoption of the Final Annual Action Plan 30 calendar days after making the Draft plan available for public review. The final Plan shall include a listing of the written public comments received and responses to those comments.

4. **Substantial Amendments**

Subsequent to adoption, a Substantial Amendment to the Annual Action Plan is required if:

- A CDBG activity budget will increase by \$50,000 or 25% of the project's original budget, whichever is greater;
- There is a significant change in the purpose, scope, location, or beneficiaries of an activity; or
- The City proposes to add or delete an activity, except in the following cases:
 - If the activity is on the back up list approved by the City Council in the Annual Action Plan;
 - If the activity is being deleted due to delays and would be included in the following year's Annual Action Plan;
 - If there are nonperformance or eligibility issues requiring activity termination;
 - If project deletion or funding reductions are due to facility closure or bankruptcy;
 - If the agency becomes disqualified or ineligible to receive funding or is unable to produce sufficient eligible billings in accordance with the provisions of the agreement; or
 - If an applicant requests that their activity be terminated.

Consolidated Annual Performance Evaluation Report (CAPER)

1. The City Council will conduct a public hearing to consider adoption of the CAPER.
2. At a minimum, a 15-day public hearing notice will be placed in the Press-Enterprise and Unidos newspapers and the City's website announcing the date,

time, and location of the public hearing and the availability of the CAPER for public review at Menifee City Hall.

3. The final CAPER shall include a listing of the written public comments received and responses to those comments.

Assessment of Fair Housing (AFH)

1. The City of Menifee will proactively seek citizen participation during the development of the Assessment of Fair Housing (AFH). Focused efforts will be made to include persons living in areas of the City identified as revitalization and/or target areas, areas designated as slum or blight, and areas where CDBG funds are proposed to be used. Pursuant to Section 91.100(a)(1), the City shall consult with other public and private agencies that provide assisted housing, health services, and social services, philanthropic organizations and communities-based and faith-based organizations including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons. The City of Menifee will encourage the participation of local and regional institutions in the development of the AFH.
2. As soon as feasible, contingent of data release by HUD, following the start of the public participation process, the City shall make the HUD-provided data available and any other supplemental information the City plans to incorporate into its AFH available to its residents, public agencies and other interested parties. The City may make the HUD-provided data available to the public by cross-referencing to the data on HUD's web site.
3. A separate public hearing will be held during the AFH planning process to allow for citizen participation before the proposed Plan and/or AFH are (is) published to receive comments on the housing and community development needs and affirmatively furthering fair housing.
4. At a minimum, a 30-day public hearing notice will be placed in the Press-Enterprise and Unidos newspapers and the City's website announcing the date, time, and location of the public hearing.
5. Upon completion of the Draft AFH, the City will encourage its review and comment in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents.
 - A public notice will sent to all identified interested parties and will be placed in the Press-Enterprise and Unidos newspapers and posted on the City's website announcing the Draft AFH is available for a 30-day public review at Menifee City Hall.
 - The notice will also indicate the date, time, and location of the City Council public hearing for the adoption of the Final AFH.
6. Subsequent to adoption, a Substantial Amendment to the Assessment of Fair Housing (AFH) or Analysis of Impediment (AI) is required if:
 - a. There is a significant revision involving a material change in the AFH or AI

pursuant to 24 CFR 5.164(a)(1) or upon HUD's written notification specifying a material change that requires the revision. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH or AI is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH or AI no longer reflect actual circumstances.

Substantial Amendment Process for the Consolidated Plan, Annual Action Plan or Assessment of Fair Housing

1. The City Council will conduct a public hearing to consider amending the Consolidated Plan, Citizen Participation Plan, Annual Action Plan, Analysis of Fair Housing or Assessment of Fair Housing.
2. At a minimum, a 30-day public hearing notice will be placed in the Press-Enterprise and Unidos newspapers and the City's website announcing the date, time, and location of the public hearing and the availability of the proposed amendment for public review at Menifee City Hall.
3. The final amended document shall include a listing of the written public comments received and responses to those comments.

CDBG Disaster Recovery (CDBG-DR) and Supplemental Appropriations

In the event of a federally-declared major disaster or emergency for which the City of Menifee is to receive and administer HUD disaster recovery assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act or supplemental assistance under the Coronavirus Aid, Relief and Economic Security Act (CARES) or other supplemental appropriations, either directly from HUD or through the State of California, the following citizen participation requirements shall apply to the development of Action Plans and Substantial Amendments to Action Plans for disaster recovery and supplemental appropriations:

1. Citizen Participation and Public Hearings for Consolidated Plans and Action Plans: CARES Act provides that grantees may amend the Citizen Participation Plan to establish expedited procedures to draft, propose, or amend consolidated plan. Expedited procedures must include notices and reasonable opportunity to comment of no less than 5 days. The 5-day period may run concurrently for comments on the Action Plan amendment and amended Citizen Participation Plan.
2. Virtual public hearings are allowed under the following circumstances:
 - National/local health authorities recommend social distancing and limiting public gatherings for public health reasons;
 - Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses

3. Before the City adopts the Action Plan for a disaster recovery grant or supplemental appropriation or any substantial amendment to a disaster recovery grant or supplemental appropriation Action Plan, the City will publish the proposed plan or amendment on the City website. For disaster recovery assistance, the City will cross-reference with any additional disaster recovery websites established to provide information to the public concerning assistance that may be available.
2. The City and/or subrecipients will notify affected citizens through USPS and/or electronic mailings, press releases, public service announcements, public notice(s), and/or through social media, or as otherwise required by HUD.
3. The City will ensure that all citizens have equal access to information about the programs, including persons with disabilities and Limited English Proficiency (LEP) persons. Program information will be made available in the appropriate languages for the City.
4. Subsequent to publication of the Action Plan or substantial amendment, the City will provide a reasonable opportunity for receiving comments as prescribed by the Federal Register Notice governing administration of the disaster recovery assistance or as otherwise permitted by HUD for supplemental appropriations.
5. The City will receive comments via USPS mail to City of Menifee, City Clerk's Office, 29844 Haun Rd. Menifee, CA 92586 or via email to publiccomments@cityofmenifee.us.
6. In the Action Plan, the City will specify criteria for determining what changes in the City's plan constitute a substantial amendment to the plan. At a minimum, the following modifications will constitute a substantial amendment: a change in program benefit or eligibility criteria; the addition or deletion of an activity; or the allocation or reallocation of a monetary threshold of more than \$750,000.
7. For disaster recovery assistance, a public website shall be established and publicized specifically for the disaster. Initially, the City's CDBG website may be used at: <https://cityofmenifee.us/421/CDBG-Program>. The website shall contain the Action Plan (including all amendments); each Quarterly Performance Report (QPR); procurement policies and procedures; executed contracts; status of services or goods currently being procured by the City (e.g., phase of the procurement, requirements for proposals, etc.).
8. The City will consider all written comments regarding the Action Plan or any substantial amendment. A summary of the comments and the City's response to each comment will be provided to HUD or the State with the Action Plan or substantial amendment.
9. The City will provide a timely written response to every citizen complaint. The response will be provided within 15 working days of the receipt of the complaint, to the extent practicable.
10. The City will notify HUD when it makes any plan amendment that is not substantial. HUD or the State will be notified at least five business days before the amendment becomes effective or in accordance with HUD or State requirements.

URGENT NEED WAIVERS

Waivers to any of the above City Citizen Participation Plan requirements may be approved by HUD to expedite the City's ability to address a local urgent need. The City will consider any waiver requests available with special Federal or State disaster assistance, regulations, and guidelines to address urgent needs.

Section 108 Applications or any other Federal Program Application

1. The City Council will conduct a public hearing to consider submitting a Section 108 Loan Application or any other federal program application that requires a public hearing. An application for additional federal funding would also require amending the Annual Action Plan.
2. At a minimum, a 30-day public hearing notice will be placed in the Press-Enterprise and Unidos newspapers and posted on the City's website announcing the date, time, and location of the public hearing. This notice also serves as the required public notice for the Substantial Amendment to the Annual Action Plan.
3. The final application and the amended Annual Action Plan shall include a listing of the written public comments received and responses to those comments.