

RESOLUTION NO. R-2020-0127

WHEREAS, the City of Round Rock ("City") has previously adopted a Citizen Participation Plan (the "Original Plan") related to Community Development Block Grant (CDBG) funds as required by 24 U.S.C. § 91.105; and

WHEREAS, the City has revised the Original Plan to include the processes related to emergencies and declarations of disaster; and


WHEREAS, the City desires to adopt a revised Citizen Participation Plan that will replace the Original Plan, Now Therefore

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROUND ROCK, TEXAS,

That the Citizen Participation Plan, a copy of same being attached hereto as Exhibit "A" and incorporated herein for all purposes, is hereby adopted as the Citizen Participation Plan of the City, as required by 24 U.S.C. § 91.105.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

RESOLVED this 14th day of May, 2020.



CRAIG MORGAN, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Clerk

EXHIBIT

"A"

THE STAGES IN THE CONSOLIDATED PLAN PROCESS

Needs Assessment Public Hearings

The City will conduct two Needs Assessment Public Hearings during each Program Year. The purpose of each Needs Assessment Public Hearing is to obtain citizens' views, and respond to proposals and questions, regarding housing and community development needs and proposed activities. All proposals and questions must be submitted in writing at least five working days prior to the Needs Assessment Public Hearing. The first Needs Assessment Public Hearing will be held during the development of the Consolidated Plan, prior to the publication of the Consolidated Plan. The second Needs Assessment Public Hearing will be held at least ninety days after the publication of the Consolidated Plan but before the end of the Program Year.

General Information

Prior to the adoption of a Consolidated Plan, the City shall make available to the public, public agencies, and other interested parties HUD-provided data the City will be using to create the Consolidated Plan or Assessment of Fair Housing, an estimate of the amount of CDBG funds the City expects to receive, along with a description of the range of types of activities that can be funded with these resources and an estimate of the amount of these funds which will be used in ways that will benefit low and moderate income people. This information will be sent in writing to local institutions providing services to low- to moderate-income people.

Publication

At any time following the first Needs Assessment Public Hearing in a Program Year, the City will publish a summary of the proposed Consolidated Plan in the Round Rock Leader and shall make copies of the proposed Consolidated Plan available at the Round Rock Public Library, the Allen R. Baca Center, and City Hall, and shall provide a reasonable amount of copies when requested at no charge. The summary of the proposed Consolidated Plan shall describe the contents and purpose of the proposed Consolidated Plan and shall include a list of locations where the entire proposed Consolidated Plan may be reviewed.

Public Comment

The City will receive comments on the proposed Consolidated Plan for at least thirty days following publication of the summary of the proposed Consolidated Plan. The City will consider any comments or views of citizens received in writing or verbally at public hearings when preparing a final Consolidated Plan.

City Council Hearing and Adoption

A public hearing regarding the proposed Consolidated Plan will be conducted by the City Council at least 30 days after publication of the summary of the proposed Consolidated Plan. The purpose of such public hearing shall be to consider the adoption of the proposed Consolidated Plan.

Disaster or Declaration of Emergency

In the event of a disaster or a declaration of emergency, public notice may be altered to the direction of HUD or accommodating the best possible effort from staff to meet the 15 day minimum requirement. A minimum of 5 days' notice shall be accommodated if unable to meet the fifteen 15 day minimum. Meetings, including the public hearing, will be facilitated by the most feasible means at the time (ex. virtual or call-in meetings in lieu of public gatherings). At a minimum, the meetings must still comply with the Open Meetings Act.

Substantial Amendments

A change to the City's planned or actual activities shall constitute a Substantial Amendment, as that term is used in 24 CFR § 91.105(c), to a Consolidated Plan if it meets all of the following criteria:

1. A change in the use of CDBG funds from one eligible activity to another;
2. A change in the location or beneficiaries of an activity;
3. A change in the scope of a project, such that the project costs increase or decrease by 25% or more; and
4. Such change is not listed as an Alternate Project, described below.

Prior to the adoption of a Substantial Amendment, the City shall:

1. Provide notice of such Substantial Amendment in conformance with Public Notice section or Disaster or Declaration of Emergency section of this Citizen Participation Plan, including a summary of the proposed Substantial Amendment;
2. Receive comments regarding the Substantial Amendment for a period of at least thirty days following publication of notice or at least five days in the event of a disaster or declaration of emergency; and
3. Consider any comments or views of citizens received in writing, or orally at public hearings, if any, in preparing the Substantial Amendment.

ANNUAL ACTION PLANS

An Annual Action Plan is adopted as part of every Consolidated Plan. In a year in which the City does not adopt a new Consolidated Plan, the City shall adopt a separate Annual Action Plan for such year in conformance with the procedures regarding the adoption of a Consolidated Plan.

Alternate Projects

The Annual Action Plan will include a list of alternate projects (each an "Alternate Project"). If, in the opinion of the City, a funded project is unreasonably delayed, experiences a significant increase in actual cost, becomes impracticable to complete, or if additional funds become available due to cost savings on a funded project, the City Council may select an Alternate Project from the relevant Annual Action Plan to effectively utilize CDBG funds.

ASSESSMENT OF FAIR HOUSING

The Assessment of Fair Housing (the "AFH") assesses local fair housing issues, concerns, and activities and sets priorities and goals to overcome historic patterns of segregation and promote housing choice. An AFH is conducted at least every five years. The AFH includes an analysis of past goals and priorities, a local knowledge section developed through the citizen participation process, analysis of HUD data, and identification of new goals and priorities.

Procedures for Development of the AFH

1. **Needs Assessment.** In depth data analysis of fair housing needs for the City on data provided by HUD, combined with local knowledge obtained through the community participation process.
2. **Public Hearing.** After the needs assessment is completed and provided to the public for comment and review, a public hearing will be held to discuss the proposed contents of the AFH. Notice of the public hearing will be given pursuant to this policy.
3. **Draft AFH.** After the needs assessment is completed and provided to the public for comment and review, the AFH will be drafted. The draft AFH will be provided to residents and stakeholders for comment and review for no fewer than 30 days.
4. **Final AFH.** The AFH with public comments included will be provided to HUD for approval.

AFH Revisions

Revisions to an AFH previously accepted by HUD must be revised and submitted to HUD for review under the following circumstances and in accordance with HUD regulations at 24 CFR 5.164:

1. A material change occurs. 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, fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances.
2. Upon HUD's written notification specifying a material change that requires the revision.
3. The timeframe for revision will be carried out in accordance with 24 CFR 5.164.

CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT

Every year, the City shall submit a CAPER within 90 days of the close of the Program Year. In general, the CAPER describes how funds were actually used and the extent to which these funds were used for activities that benefited low- and moderate-income people.

Public Notice and Public Hearing

Prior to the adoption of a CAPER, the City shall provide the public with notice of the availability of a proposed CAPER and the locations where such proposed CAPER may be reviewed. Following the publication of such notice, the public shall have the opportunity to submit comments regarding the CAPER for a period of fifteen days. The City shall consider any comments or views of citizens received in writing or verbally at public hearings when preparing the CAPER.

AMENDING THE CITIZEN PARTICIPATION PLAN

This Citizen Participation Plan can be changed only after any proposed changes have been approved by the City Council, the public has been notified of the intent to modify it, and the public has had fifteen days to review and comment on proposed changes. The Citizen Participation Plan will go back before City Council for approval. The City of Round Rock will document and report all public comments from citizens, public agencies, and other interested parties in preparing for its final submission. Public comments will be considered, when feasible and beneficial, prior to final approval by City Council.

COMPLAINT PROCEDURES

Complaints regarding the Consolidated Plan, Substantial Amendments thereto, or the CAPER must be submitted to the City in writing. Written complaints from the public will receive a substantive written response within fifteen working days of receipt of the complaint.

DISPLACEMENT

Although the City does not anticipate that any persons will be displaced by activities using CDBG funds, federal regulations require that this Citizen Participation Plan set forth the City's plans to minimize displacement of persons and to assist persons displaced. To minimize the extent to which persons may be displaced by CDBG activities, the City will not include an activity that displaces persons in its Consolidated Plan unless such activity is specifically approved by the City's governing body as a separate agenda item. The City of Round Rock will compensate persons who are actually displaced as a result of the use of CDBG funds as required by law.

TECHNICAL ASSISTANCE

City staff will provide limited technical assistance to organizations representative of low and moderate income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing a proposal form.

CONTACT

Any written comment, request, or other written correspondence that may be provided to the City pursuant to this Citizen Participation Plan may be sent to:

City Clerk
City of Round Rock
221 E. Main St.
Round Rock, Texas 78664

Elizabeth Alvarado
CDBG Program Coordinator
ealvarado@roundrocktexas.gov
512-341-3328