

The City of Montgomery, Alabama

Citizen Participation Plan

Mayor Steven Reed



**Prepared by the
City of Montgomery
Department of Community Development
Community Development Division**



CITY OF MONTGOMERY

CITIZEN PARTICIPATION PLAN UPDATES

SUMMARY

JUNE 2020

The following is a summary of revisions/updates in the City's Citizen Participation Plan (CPP) and are highlighted within the document for the reviewer –

- Page 5** Added Section 18 to Table of Contents – Activities Exempt from 30-Day Substantial Amendment Citizen Participation Requirements
- Added Section 19 to Table of Contents – Administrative Updates
- Page 7** Added Community Development Block Grant – Coronavirus (CDBG-CV) to definitions
Added Emergency Solutions Grant Program – Coronavirus (ESG-CV) to definitions
- Page 8** Amended language to give Notice of submission due dates and include requests for extensions as needed
- Page 9** Added CARES Act to definitions
- Pages 10-11** Amended language to give Notice of submission due dates and include requests for extensions as needed
- Pages 12-18** Added language for the Citizen Participation requirements in the event of a disaster/emergency to include reference to the funding of COVID-19; allowance for virtual hearings in the event federal, state, or local authorities recommend social distancing; and, allow HUD waivers to provide for a 5-day review/comment period
- Page 20** Added language to allow for virtual hearings in the event of federal, state, or local authorities recommending social distancing
- Page 22** Added language allowing HUD waivers to provide for a 5-day review/comment period
- Pages 24-25** Added Section 18: Activities Exempt from 30-Day Substantial Amendment Citizen Participation Requirements - Added language specifically in reference to COVID-19 funding
- Page 25** Added Section 19: Administrative Updates - This section was added to allow for grammatical or structural edits that do not substantially change the scope of meaning along with coding or eligibility determination of a project that does not change scope, location, or beneficiaries

City Council Members



Councilman Ed Grimes	District 1
Councilman Brantley Lyons	District 2
Councilman Marche Johnson	District 3
Councillor Audrey Graham	District 4
Councilman Cornelius “CC” Calhoun	District 5
Councilman Oronde Mitchell	District 6
Councilman Clay McInnis	District 7
Councilman Glen Pruitt, Jr.	District 8
Councilman Charles Jinright	District 9

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City of Montgomery, Alabama

Citizen Participation Plan

Section 1: Introduction

This Citizen Participation Plan (CPP) sets forth the City of Montgomery, Alabama's (hereafter referred to as the City of Montgomery) policies and procedures for citizen participation for the use of Community Development Block Grants (CDBG), HOME Investment Partnership Act (HOME), Emergency Solutions Grants (ESG), Section 108 Economic Development Loan funds, and other state or federal funds available to the City of Montgomery. The Citizen Participation Plan provides an opportunity for the community to work in partnership with the City to identify needs, allocation of funds awarded for such grants, as well as make comments during the public hearing and application process.

The City of Montgomery holds the following standards regarding citizen involvement:

1. All citizen participation will be an open process.
2. Involvement of low and moderate-income persons, minorities, project area residents, elderly, handicapped and others is to be evident.
3. Reasonable efforts to ensure continuity of involvement of citizens throughout all stages of the CDBG, HOME and ESG programs are to be evident.
4. Timely and adequate information is to be given to citizens.
5. Citizens are encouraged to submit their views and proposals regarding the Five-Year Consolidated, the Annual Action Plan and use of CDBG, HOME, ESG and other applicable funds.

While the Citizen Participation Plan will aim to ensure the participation of all residents, special assurances will be made to ensure the participation of the following groups:

- Extremely low, low-and-moderate-income persons;
- Persons living in areas where CDBG, HOME, ESG, and Section 108 Economic Development Loan funds, and other competitive funds are proposed to be used;
- Residents of publicly assisted housing;
- Low-income residents of target neighborhoods;
- Minorities;
- Non-English speaking persons; and
- Persons with physical disabilities.

Section 2: Definitions

For purpose of the CDBG, HOME, and ESG programs, the following definitions will apply:

- A. **Community Development Block Grant (CDBG):** A grant program administered by the U.S. Department of Housing and Urban Development (HUD). This grant allots money to cities and

counties for housing rehabilitation, affordable housing assistance, community services, and community development activities (including community facilities and economic development).

A.1. Community Development Block Grant – Coronavirus (CDBG-CV): A grant program administered by the U.S. Department of Housing and Urban Development (HUD). This grant allots money to cities and counties for housing rehabilitation, affordable housing assistance, community services, and community development activities (including community facilities and economic development) as it relates to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to respond to the growing effects of a public health crisis. CDBG-CV funds will be used to prevent, prepare for, and respond to the Coronavirus-19 (COVID-19).

B. HOME Investment Partnership Program (HOME): A grant program administered by HUD and is allocated to cities and counties for affordable housing development. Eligible activities include housing development and rehabilitation, and homebuyer assistance.

C. Emergency Solutions Grant Program (ESG): A grant program administered by HUD and is allocated to cities and counties to provide homeless persons with basic shelter and essential supportive services. It can assist with the operational costs of the shelter facility and for the administration of the grant. ESG also provides short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure, or utility shutoffs.

C.1. Emergency Solutions Grant Program – Coronavirus (ESG-CV): A grant program administered by HUD and is allocated to cities and counties to provide homeless persons with basic shelter and essential supportive services. It can assist with the operational costs of the shelter facility and for the administration of the grant. ESG also provides short-term homeless prevention assistance to persons at imminent risk of losing their own housing due to eviction, foreclosure, or utility shutoffs as it relates to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to respond to the growing effects of a public health crisis. CDBG-CV funds will be used to prevent, prepare for, and respond to the Coronavirus-19 (COVID-19).

D. Section 108 Loan Guarantee Program: The Section 108 Loan Guarantee Program is a grant program administered by HUD under the CDBG program that serves as a source of financing allotted for economic development, housing rehabilitation, public facilities rehab, construction or installation for the benefit of low- to moderate-income persons, or to aid in the prevention of slums and blight.

E. Consolidated Plan (CP): The Consolidated Plan is a five-year planning document for the CDBG, HOME and ESG programs. The CP must contain housing and community development needs assessment, a five-year strategic plan to address the needs identified, a one-year action plan to identify specific activities and planned use of CDBG, HOME and ESG funds. The CP is due at HUD 45 days before the beginning of a program year. The City of Montgomery CDBG, HOME and ESG programs begin annually on May 1st, making the CP due at HUD no later than March 17th of each year or 60 days after the Notice of award/allocation from HUD, but not to exceed submission by August 14th of each program year.

- F. **Annual Action Plan:** The Action Plans are annual components of the Consolidated Plan that specifically describe how the City of Montgomery will spend CDBG, HOME and ESG funds over a one-year period for activities serving low-and moderate –income persons, the homeless, and persons with special needs.
- G. **Consolidated Annual Performance Evaluation Report (CAPER):** CAPER is an annual report summarizing the City’s progress in implementing the Consolidated Plan. The CAPER is due at HUD 90 days after the close of a program year. For the City of Montgomery, each program year ends on April 30th, making the CAPER due at HUD no later than July 30th of each year or additional dates requested to, and granted by, HUD as an extension for submission of the City’s report.
- H. **Median Family Income (MFI):** HUD surveys major metropolitan areas annually to develop an index of median family income by household size.
- I. **Low-and Moderate-Income Households:** Pursuant to HUD regulations, the primary beneficiaries of the CDBG and HOME programs should be low- and moderate-income households, defined by HUD as follows:
- Extremely Low-Income** - 0-30% County Median family income (MFI) adjusted for household size.
 - Low-Income** - 31-50% County MFI adjusted for household size.
 - Moderate-Income** - 51-80% County MFI adjusted for household size.
 - Low-and-Moderate-Income Neighborhood** - Generally defined as a census tract(s) or block group(s) in which a minimum of 51 percent of the residents have an income not exceeding 80 percent of the area median family income.
 - Slum or Blighted Area** - An area that meets the definition of a slum, blighted, deteriorated or deteriorating area under State or local law, typically identified as Redevelopment Project Areas, or where a substantial number of deteriorating or dilapidated buildings or improvements are present throughout the area.
 - Publicly Assisted Housing Developments-** Housing projects (either rental or ownership housing) developed with the assistance of public funds such as HOME, CDBG, and redevelopment set-aside funds.
- J. **Affirmatively Furthering Fair Housing:** 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.

K. **CARES Act:** The Coronavirus Aid, Relief, and Economic Security Act (CARES Act) was signed by President Trump on March 27, 2020 to respond to the growing effects of a public health crisis. The CARES Act authorizes waivers and alternative requirements of statutes and regulations administered with the use of funds to prevent, prepare for, and respond to the Coronavirus-19 (COVID-19).

Section 3: Citizen Involvement

Citizen Participation Plan (CPP)

The City of Montgomery recognizes that CDBG, HOME and ESG funds are tax money returned to the City to be used primarily to benefit extremely low-, low-, and moderate-income persons. City staff and officials are stewards of these public monies and will openly discuss all records, except those confidential records protecting a household's privacy. The City presents the following Citizen Participation Plan (CPP), in accordance with 24 CFR Parts 91, et al.

Involvement

The Citizen Participation Plan seeks to involve the participation of citizens, social service agencies and other nonprofit entities of the City of Montgomery in the development and adoption of the Consolidated Plan, the Action Plan, any substantial amendments, and the Consolidated Annual Performance Evaluation Report (CAPER). In addition, efforts will be made to focus on the involvement of low- and moderate-income persons, those persons living in slum and blighted areas, persons living in low- and moderate-income areas and persons living in areas where CDBG, HOME and ESG funds are proposed to be used. The Citizen Participation Plan consists of a number of elements designed to foster community involvement as specified in each section of the Plan.

Pursuant to HUD regulations, the City will conduct a minimum of two hearings annually at different stages in the CDBG/HOME/ESG program year (May 1 through April 30). The City will conduct public hearings at locations and at times that are convenient to the public, especially for those persons affected by program resources, and the locations will be equipped to accommodate persons with physical disabilities. As such, all public hearings and meetings will be conducted at City Hall, the City-County Main Public Library or some other designated area with public and handicap accessibility. For non-English speakers, translation will be available at all public hearings if requested three (3) days prior to the hearing date. Other requests for reasonable accommodation (such as sign language) must be made three (3) days prior to the hearing date and the City will provide appropriate assistance to the extent feasible.

Schedule for Review and Adoption of Consolidated, Annual Action Plan and CAPER

The schedule for review and adoption of the Consolidated Plan, Annual Action Plan and Consolidated Annual Performance and Evaluation Report is tentative and may be amended by staff as necessary and is as follows:

- July/August Advertise Notice of Public Hearing for development of Annual Action Plan and Consolidated Plan (If Necessary) for the HUD CDBG, HOME, and ESG Programs

- September/October Conduct Public Hearing(s) and Technical Assistance Workshop(s) For Annual Action Plan and Consolidated Plan (If Applicable) for the CDBG, HOME, and ESG
- September /October Review and Respond to Public Comments
Accept Applications for Annual Action Plan
- October/November Review Applications for Annual Action Plan
- December Submit Recommended Proposed Projects and/or Programs Funding for Annual Action Plan and Consolidated Plan (if Applicable) to Mayor and City Council
- December/January Publicly Advertise Proposed Projects/Programs for Annual Action Plan and Consolidated Plan (If Applicable)
- January/February Review and Respond to Public Comments, Complete Action Plan and Consolidated Plan (If Applicable) and submit to Mayor and City Council for Approval/Resolution
- March Submit Consolidated/Action Plan with Public Comments to HUD Office by March 17th for Review **or** 60 days after the Notice of award/allocation from HUD, but not to exceed submission by August 14th of each program year. (Up to 45 Days for Approval Response)
- April Mail Official Award and Denied Correspondence from Mayor’s Office
- April Conduct Subrecipient Workshop
- May New Program Year Begins May 1st Subject to Environmental Review Clearance from the Community Development Office***
- May Begin CAPER Report Process
- June Public Advertisement of Section 3 Report
- June Complete CAPER and Publicly Advertise for Review and Comments (15 Day Comment Period)
- July Review and Respond to Public Comments and Submit CAPER to HUD by July 30th for Approval **or** additional dates requested to, and granted by, HUD as an extension for submission of the City’s report.

***No Program May Start Implementation of Project Or Enter Into Contract/Agreement Until

Notification Of Award And Environmental Clearance Provided By The Community Development Division** This schedule is subject to change.

Adoption of the Citizen Participation Plan

Prior to the adoption of the Citizen Participation Plan, implementation of the following public comment, review, and adoption procedures will ensure that all citizens have a chance to participate in development of the Plan.

The City of Montgomery will provide a notice of the 30-day public review period on the Citizen Participation Plan in the Montgomery Advertiser. The proposed Citizen Participation Plan will be available for public review at the following locations:

- Lobby of the City of Montgomery Municipal City Hall - 103 North Perry Street
- The City of Montgomery - Department of Community Development - 25 Washington Ave, 4th Floor
- The Montgomery City-County Library at the following locations:
 - Juliette Hampton Morgan Memorial Library-245 High Street
 - Rufus A. Lewis Regional Library-3095 Mobile Highway
 - Coliseum Boulevard Branch Library-840 Coliseum Blvd
 - Rosa L. Parks Avenue Branch Library-1276 Rosa Parks Avenue

The proposed citizen participation plan will also be posted on the City of Montgomery's Website at www.montgomeryal.gov. Upon request, the Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Citizen Participation Plan to citizens and groups that request copies. Comments or views of citizens received in writing during the public review period will be solicited by the City of Montgomery.

The Draft Plan will be adopted upon a majority vote of the City Council at a designated and publicly noticed City Council meeting. After adoption of the Plan, a final Plan will be prepared. 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 Citizen Participation Plan.

If virtual hearings are used, real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. Also, the virtual hearing method will only be used in lieu of in-person hearings if national or local health authorities recommend social distancing and limit public gatherings for public health reasons.

For CDBG-CV funding under Program Year (PY) 2019 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to the COVID-19 health crisis, the City may provide a five (5) calendar day notice/comment period of a substantial amendment beginning in the month of May 2020 allowed under HUD's waiver. The City will publish how it will use its allocation, at a minimum, on its webpage at www.montgomeryal.gov under the Department of Community Development, Community Development Division tab. In the event the City's public libraries and other governmental offices listed above are closed or limit public gatherings to the public during a health crisis, this method

will replace hard copies of documents being placed at those locations for public review and/or comment. Please note that these new provisions are only applicable to CDBG-CV funding from the CARES Act or other Acts from HUD allowing the City such waivers beginning in the month of May 2020 and thereafter.

For ESG-CV funding under PY 2019 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to the COVID-19 health crisis, the City may omit the citizen participation and consultation requirements for substantial amendments and new consolidated plan submissions for ESG-CV funding. However, the City will publish how it will use its allocation, at a minimum, on its webpage at www.montgomeryal.gov under the Department of Community Development, Community Development Division tab. In the event the City's public libraries and other governmental offices listed above are closed or limit public gatherings to the public during a health crisis, this method will replace hard copies of documents being placed at those locations for public review and/or comment. Please note that these new provisions are only applicable to ESG-CV funding from the CARES Act or other Acts from HUD allowing the City such waivers beginning in the month of May 2020 and thereafter.

In the event the City's public libraries and other governmental offices listed above are closed or limit public gatherings to the public during a health crisis, the following method will replace hard copies of documents being placed at those locations for public review and/or comment:

- The City will publish how it will use its allocation, at a minimum, on its webpage at www.montgomeryal.gov under the Department of Community Development, Community Development Division tab.

Amendment of the Citizen Participation Plan

The City of Montgomery will amend its approved Citizen Participation Plan whenever a change in the public participation process, as outlined in this plan, is proposed. An amendment to the approved Citizen Participation Plan will be reviewed and approved by the Mayor and City Council. Notice of any amendment to the Citizen Participation Plan will be published in the Montgomery Advertiser no less than 10 days prior to the review and adoption by the Mayor and City Council to allow the public an opportunity to review and comment on the amendment. As outlined in the previous paragraphs, waivers from HUD will supersede all regular timeframes as it relates to advertisements, substantial amendments, hearings, and comment periods. Appeals concerning the amendment should follow the Appeal procedures outlined in Section 12 of this document.

Section 4: Consolidated Plan (Five-Year Strategy and Annual Action Plan)

Customer Service

In developing the Consolidated Plan and annual updates, the City of Montgomery 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 economic independence.

Inherent in these principals is extensive, relevant, and ongoing citizen participation. The City of Montgomery 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: needs assessment, housing and community development strategic plan, and an action plan. Commonly known as the Consolidated Plan, the needs assessment and housing and community development strategic plan are updated every five years. The action plan is updated annually, reflecting annual CBDG, HOME, and ESG funding allocations.

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

- Dollar amounts proposed for each activity,
- A description and location of each activity,
- The entity responsible for implementation of each activity, and
- 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. Three groups involved in the process of the Consolidated Plan and Action Plan development include:

- The Mayor,
- City Council, and
- Department of Community Development.

The citizens of Montgomery are invited to attend and participate in the discussion of the policy at the City of Montgomery's public hearing. The date, time and location of the public hearings shall be advertised in the Montgomery Advertiser along with notices at City Hall. The City will affirmatively publicize its activities and meetings in Spanish and other languages as deemed necessary, as well as English newspapers to outreach all of the ethnic diversity of the City. As outlined in the previous paragraphs, waivers from HUD will supersede all regular timeframes as it relates to advertisements, substantial amendments, hearings, and comment periods.

Section 5: Development of the Consolidated Plan (Five-Year Strategy) and Annual Action Plan

Development of the Consolidated Plan

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

1. Review past year performance with the Department of Community Development and specifically the Community Development Staff and discuss priority needs for upcoming year(s).

2. Consult public agencies including other City staff, adjacent local governments, economic development interests, public housing community, and state and local health agencies.
3. Conduct public meetings when and where necessary to discuss and establish future priorities and goals for the Consolidated Plan and Action Plan.
4. Consult private agencies that provide health services, social services for children, elderly, disabled, homeless, persons with AIDS, victims of domestic violence, and persons with alcohol/drug abuses, etc.
5. Conduct at least one public meeting during the development of the housing and community development needs assessment.

Citizen participation during the development of the Consolidated Plan and Action Plan will take place at various sites within Council Districts of the City of Montgomery that have eligible census tracts and block group. All meetings are opened to the public. The citizens of Montgomery are invited to participate in all public meetings concerning CDBG, HOME and ESG program funding and are encouraged to make known any comments, concern, etc., which will be recorded and become part of the comment records.

Adoption of the Consolidated Plan (Five-Year Strategy) and Annual Action Plan

The following procedures will ensure that all citizens have a chance to influence the final Plan. Specifically, the City will publish a notice announcing the 30-day public comment period and public hearing of the Draft Consolidated Plan and Action Plan. The notice will be published in the Montgomery Advertiser and include a summary of the Draft Consolidated Plan and Action Plan that describes the contents and purpose and a list of the locations where copies of the Draft Plan may be examined.

The Draft Consolidated Plan and Annual Action Plan will be available for public review at the following locations:

- Lobby of the City of Montgomery Municipal City Hall- 103 North Perry Street
- The City of Montgomery -Department of Community Development - 25 Washington Ave, 4th Floor
- The Montgomery City-County Library at the following locations:
 - Juliette Hampton Morgan Memorial Library-245 High Street,
 - Rufus A. Lewis Regional Library-3095 Mobile Highway,
 - Coliseum Boulevard Branch Library-840 Coliseum Blvd, and
 - Rosa L. Parks Avenue Branch Library-1276 Rosa Parks Avenue.

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

The City Council will introduce the Draft Consolidated Plan and Action Plan at a City Council meeting after the end of the 30-day review period. The Draft Consolidated Plan and Action Plan will be presented and adopted upon a majority vote and sign into Resolution. After adoption of the

Plan, the final Consolidated Plan and 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.

In the event the City's public libraries and other governmental offices listed above are closed or limit public gatherings to the public during a health crisis, the following method will replace hard copies of documents being placed at those locations for public review and/or comment:

- The City will publish how it will use its allocation, at a minimum, on its webpage at www.montgomeryal.gov under the Department of Community Development, Community Development Division tab.

Amendment of the Consolidated Plan

The City of Montgomery 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 of Montgomery 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 cumulative change equal to or in excess of 20% of the City's CDBG, HOME, and ESG entitlement for a program year.

Changes in funding priority not amounting to more than 20% 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 20% of the City's annual allocation.)

Substantial Amendment Criteria-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 20%; 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 20% 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 CPD Representative at the Birmingham, Alabama Field Office for the U.S. Department of Housing and Urban Development.
2. Proposed amendments are reviewed by the City of Montgomery (City Council and/or Department of Community Development) 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 in the Montgomery Advertiser 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 at the following locations:
 - Lobby of the City of Montgomery Municipal City Hall- 103 North Perry Street
 - The City of Montgomery -Department of Community Development- 25 Washington Ave, 4th Floor
 - The Montgomery City-County Library at the following locations:
 - Juliette Hampton Morgan Memorial Library-245 High Street,
 - Rufus A. Lewis Regional Library-3095 Mobile Highway,
 - Coliseum Boulevard Branch Library-840 Coliseum Blvd, and
 - Rosa L. Parks Avenue Branch Library-1276 Rosa Parks Avenue.

In the event the City's public libraries and other governmental offices listed above are closed or limit public gatherings to the public during a health crisis, the following method will replace hard copies of documents being placed at those locations for public review and/or comment:

- The City will publish how it will use its allocation, at a minimum, on its webpage at www.montgomeryal.gov under the Department of Community Development, Community Development Division tab.

Upon request, the amendment will be made accessible to any person with disabilities. At the end of the 30-day review period, the City Council will consider adoption of the amendment upon a majority vote of the City of Montgomery's City Council. A copy of the approved amendment will be sent to the Birmingham, Alabama Field Office for the U.S. Department of Housing and Urban Development.

5. For CDBG-CV funding under Program Year (PY) 2019 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to the COVID-19 health crisis, the City may provide a five (5) calendar day notice/comment period of a substantial amendment beginning in the month of May 2020 allowed under HUD's waiver.
6. For ESG-CV funding under PY 2019 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to the COVID-19 health crisis, the City may omit the citizen participation and consultation requirements for substantial amendments and new consolidated plan submissions for ESG-CV funding.

Reallocation of Funds

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. Approved projects such as exterior residential and commercial façade, public facility, street paving, and infrastructure improvement projects, etc., may be created to include in the Annual Action Plan after approved by the Mayor.

Interim Assistance Activities

Interim 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. Immediate 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 emergent nature, interim assistance activities are exempt from the citizen participation, public hearing and legal noticing processes. The City Council is required to document the emergency nature of the activities by minute order at the time is asked to approve the activity for funding. 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.

Section 6: Consolidated Annual Performance and Evaluation Report (CAPER)

Consolidated Annual Performance and Evaluation Report (CAPER)

The Consolidated Annual Performance and Evaluation Report (CAPER) details the accomplishments of the Consolidated Plan and the Action Plan. The following procedures will ensure that all citizens will have a chance to comment on the CAPER. The draft CAPER will be made available to the public for viewing. The City of Montgomery will publish a notice of the 15-day public comment period of the draft CAPER. The notice will be published in the Montgomery Advertiser and will include a list of locations at which the draft CAPER can be reviewed. The draft CAPER will be available for public review at the following locations:

- Lobby of the City of Montgomery Municipal City Hall- 103 North Perry Street
- The City of Montgomery -Department of Community Development- 25 Washington Ave, 4th Floor
- The Montgomery City-County Library at the following locations:
 - Juliette Hampton Morgan Memorial Library-245 High Street,
 - Rufus A. Lewis Regional Library-3095 Mobile Highway,

- Coliseum Boulevard Branch Library-840 Coliseum Blvd, and
- Rosa L. Parks Avenue Branch Library-1276 Rosa Parks Avenue.

Upon request, the amendment will be made accessible to any person with disabilities.

In the event the City's public libraries and other governmental offices listed above are closed or limit public gatherings to the public during a health crisis, the following method will replace hard copies of documents being placed at those locations for public review and/or comment:

- The City will publish how it will use its allocation, at a minimum, on its webpage at www.montgomeryal.gov under the Department of Community Development, Community Development Division tab.

Section 7: The Assessment of Fair Housing

Plan Development

The City will follow the process and procedures described below in the development of its Assessment of Fair Housing (AFH):

- HUD-approved Data for Public Review
The City will make available to the general public the HUD-approved data and other supplemental information that the City plans to incorporate into its AFH. The City will make this data available no later than 90 days after the initiation of the AFH document;
- Stakeholder Consultation and Citizen Outreach
In the development of the AFH, the City will consult with residents and other public and private agencies including, but not limited to the following local and regional institutions, Continuum of Care, business, developers, nonprofit organizations, philanthropic organizations and community based and faith based organizations.

A variety of mechanisms may be utilized to solicit input from these entities. These include telephone or personal interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops and

- Public Hearing
To obtain the views of the general public on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs, the City will conduct at least one public hearing before the draft AFH is published for comment.

Draft Copy Available to Public and Comment Period

The draft AFH will be available to the public for a period of no less than 30 calendar days to encourage public review and comment. The public notice shall include a brief summary of the content and purpose of the draft AFH, the dates of the public display and comment period, the locations where copies of the proposed document can be examined, how comments will be accepted, when the document will be considered for action by the Montgomery City Council and the anticipated submission date to HUD. In addition, the City will make available a reasonable

number of free copies of the proposed document to residents and groups that request them.

Comments Received on Draft Assessment of Fair Housing

Written comments will be accepted by the City Contact Person, or a designee, during the 30-day public comment period. The City will consider any comments or views of City residents received in writing, or orally at the public hearings, in preparing the final AFH. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AFH for submission to HUD.

Submission to HUD

The Assessment of Fair Housing will be submitted to HUD within 30 days of adoption.

Section 8: Revisions to the Assessment of Fair Housing

Revision Considerations

The City will revise its AFH previously accepted by HUD under the following circumstances:

- A material change occurs. A material change is a change in circumstances in the City 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 Assessment no longer reflect actual circumstances. Examples include, but are not limited to:
 - Presidentially declared disasters, under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121et seq.), in the City that are of such a nature as to significantly impact the steps the City may need to take to affirmatively further fair housing;
 - Significant demographic changes;
 - New significant contributing factors in the City, or
 - Civil rights findings, determinations, settlements (including voluntary compliance agreements), or court orders.
- Upon HUD's written notification specifying a material change that requires the revision.

Public Availability of the Document and Comment Period

The draft Revised AFH will be available to the public for a period of no less than 30 calendar days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the proposed revised plan can be examined, how comments will be accepted, when the document will be considered for action by the City, and the anticipated submission date to HUD.

In addition, the City will make available a reasonable number of free copies of the proposed revised document to residents and groups that request it.

Comments Received on the Draft Revised Assessment of Fair Housing

Written comments will be accepted by the City Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at public hearings, in preparing the final Revised AFH. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Revised AFH for submission to HUD.

Submission to HUD

The Revised Assessment of Fair Housing will be submitted to HUD within 30 calendar days following the end of the public display and comment period.

Section 9: Notification of Public Hearings

Notification of Public Hearings

Staff will ensure adequate advance notice of all public hearings. Adequate noticing will include:

- Printing notices in the Montgomery Advertiser at least ten days prior to the public hearings,
- Posting notices at City Hall, and
- The City of Montgomery website at www.montgomeryal.gov.
- If virtual hearings are used, real-time responses and accommodation for persons with disabilities and/or with limited English proficiency will be made available to the greatest extent possible. Also, the virtual hearing method will only be used in lieu of in-person hearings if national or local health authorities recommend social distancing and limit public gatherings for public health reasons.

Section 10: Access to Records

Access to Records

The City of Montgomery will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan documents and the use of assistance during the preceding five years.

At all times during the City Hall operating hours, all information regarding the HUD programs will be made available upon request, including the Federal Regulations governing the CDBG, HOME and ESG programs, a year-by-year breakdown of the program expenditures, the most recent monthly report of the program activities, mailings and promotional material, prior years application, letters of approval from HUD, grant agreements, Citizen Participation Plan, reports required by HUD, the current proposed application, and any other documents regarding important program requirements by HUD.

During the period of planning for the next program year, information to be made available to the public will include items such as the amount of funds available to the City of Montgomery, the range of activities that may be undertaken with these funds, the kinds of activities previously funded in the City of Montgomery, the processes involved in approving the City of Montgomery's application, the role of Montgomery's citizens in the CDBG, HOME and ESG programs, and any other information necessary to participate in the process fully. A public hearing will be held concerning the application for an upcoming program year and to review the program's performance and progress. The announcement of this hearing and all other hearings concerning a new application for funds shall be announced in Spanish and other applicable languages as necessary. Requests for information and records must be made to the City of Montgomery in writing. Staff

will respond to such requests within 15 working days or as soon as possible thereafter. A charge of \$.25 per page may be charged for copying documents in excess of 25 pages.

Section 11: Technical Assistance

Technical Assistance

Upon request, staff will provide technical assistance to groups representing extremely-low, low- and moderate-income persons to develop funding requests for CDBG HOME, and ESG eligible activities. Technical assistance will be provided as follows:

1. Answer, in writing or verbally, all inquiries received from citizens or representative groups relating to funding requests;
2. Meet with groups or individuals as appropriate, to assist in identifying specific needs and to assist in preparing request/application for assistance; and
3. Provide bi-lingual translation on as-needed basis.

Section 12: Comments and Complaints

Comments

Citizens or the City government, as well as agencies providing services to the community, are encouraged to state or submit their comments in the development of the Consolidated Plan/Action Plan documents and any amendments to these documents. Written and verbal comments received at public hearings or during the comment period, will be considered and summarized, and included as an attachment to the final Consolidated Plan/Action Plan documents. Written comments should be addressed to:

City of Montgomery, Alabama
Attention: Department of Community Development
Community Development Division
P.O. Box 1111
Montgomery, Alabama 36101-1111
Telephone Number: (334) 625-2997

A written response will be made to all written comments within ten (10) business days, acknowledging the letter and identifying a plan of action, if necessary. Every effort will be made to send a complete response within 15 business days to those who submit written comments.

For CDBG-CV funding under Program Year (PY) 2019 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to the COVID-19 health crisis, the City may provide a five (5) calendar day notice/comment period of a substantial amendment beginning in the month of May 2020 allowed under HUD's waiver.

For ESG-CV funding under PY 2019 and the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to the COVID-19 health crisis, the City may omit the citizen participation and consultation requirements for substantial amendments and new consolidated plan submissions for ESG-CV funding.

Complaints

Citizens with complaints concerning the Consolidated Plan, the Annual Action Plan, substantial amendments, Affirmative Furthering Housing (AFH) Plan and the CAPER should contact the City

of Montgomery by phone or in writing within 30 days from the date the document is published for comment. Complaints concerning any CDBG-funded, HOME-funded, ESG-funded program in which the person believes access has been limited or denied, must be made within 30 days from the date of the occurrence.

Staff will review each complaint based on the information provided within the complaint and provide a complete written response within 15 business days from the date of their complaint when practicable. The City will accept written complaints provided they specify the following:

- (1) The description of the objection, and supporting facts and data, and
- (2) Provide name, address, telephone number, and a date of complaint.

**The City of Montgomery
Chief of Staff to the Mayor
P.O. Box 1111
Montgomery, Alabama 36101-1111
Telephone Number: (334) 625-2000**

A record will be maintained of all complaints received and will include the nature of the complaint, City investigation of facts and evidences, referrals made, and the final disposition. Citizens may contact HUD directly if they wish to object to any part of the Consolidated Plan, Annual Action Plan or Consolidated Annual Performance or Evaluation Report (CAPER), or if they feel that they have been aggrieved by any program, activity, or procedure funded through the CDBG, HOME, and/or ESG funds. Such objections should be made to:

**U.S. Department of Housing and Urban Development
Attention: Field Office Director
Medical Forum Building
950 22nd Street, Suite 900
Birmingham, Alabama 35203**

Section 13: Limited English Proficiency (LEP) Assistance

The City currently makes the following resources available at no cost to LEP individuals and families in order to provide meaningful access to the City's federally-funded programs and services.

Oral Interpretation

The City maintains a current list of bilingual staff that can provide interpretation and/or translation services in a variety of languages upon request. An interpreter will be made available at all meetings soliciting community participation or comment on federally funded programs.

Written Translation

Key program documents (brochures, application forms, public announcement) shall be translated

by bilingual staff and/or outside translators as needed. The City of Montgomery's website is available in both English and Spanish and content may be translated into other languages at

internet user's option using free online tools such as "Google Translate" (available at: <http://translate.google.com>) or similar translation services. Public announcements and program/service promotions are advertised in the Montgomery Advertiser as well as posted in designated public places as described in Section 3 in the Citizen's Participation Plan.

Section 14: Other Assistance

Public hearings will be held in a location accessible to the public during normal business hours (e.g. libraries, museums, senior centers, etc.), which are accessible to the handicapped and disabled. Citizens with a disability who need special accommodations in order to access program information must contact the City of Montgomery, Department of Community Development's Community Development Division at least 3 working days in advance with its reasonable accommodation request.

Reasonable accommodation includes the following: providing materials in a different and/or larger typeface/font; providing materials in an alternative medium, and making special arrangements for meeting attendance.

Section 15: Appeals

Appeals

Appeals concerning the Consolidated Plan documents or decisions, statements, recommendations of the staff, or disposition of complaints should be made first to the Deputy Mayor, then to the Director of Planning, the City Council, and finally to the Birmingham, Alabama Office of HUD if concerns are not answered.

Section 16: Anti-Displacement/Relocation

Anti-Displacement/Relocation

In the event that any residential displacement and relocation must take place in order to carry out a program activity, the City of Montgomery ensures that it will develop an Anti-displacement and Relocation Plan in connection with that project as applicable per Federal regulations. In the event that any acquisition and relocation must take place in order to carry out a program activity, the City of Montgomery will also comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and implementing regulations of 49 CFR Part 24.

Section 17: Assurances

Assurances

The City of Montgomery assures that the most diligent effort will be made to comply with the process and procedures outlined in this CPP.

Section 18: Activities Exempt from 30-Day Substantial Amendment

Citizen Participation Requirements

Disaster/Emergency Events

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. There are three types of disasters/emergency events that may necessitate an expedited substantial amendment including (1) Man-made-disasters, (2) Natural disasters, and (3) Terrorism. Man-made disasters can include chemical spills, mass rioting, power outages, dam failure, plant explosions, etc. Natural disasters can include earthquakes, hurricanes, tornadoes, wild fires, flooding and public health issues such as wide-spread disease such as the recent coronavirus disease-2019 (COVID-19). Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution, etc.

These expedited substantial amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet needs resulting from a declared disaster or emergency. Therefore, the City of Montgomery may utilize CDBG, HOME, or ESG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period, which is otherwise required for substantial amendments. For CDBG-CV funding under PY 2019, the Coronavirus Aid, Relief, and Economic Security (CARES) Act, and/or any additional funding granted in response to COVID-19 health crisis, the City may provide a 5-day notice/comment period of a substantial amendment beginning May 9, 2020 as allowed under a HUD waiver. This includes any new activities proposed. A public hearing is not required but documentation relative to substantial amendment activity planning applies; however, the City will publish how the CDBG-CV funding has or will be used on the City of Montgomery's website at www.montgomeryal.gov.

With respect to a declared disaster, the City may elect to use CDBG, HOME, ESG, or State of Alabama funds to address needs not provided for by the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA), or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal, state or local sources unless allowed by the federal government. Potential eligible uses of funds are those that are included in this Citizen Participation Plan, the Consolidated Plan, or any other CDBG, HOME, ESG, or State eligible use. HUD may provide new guidance on eligible uses in which the City will comply with and may utilize as well.

All eligible CDBG activities, including those to address declared disasters or emergencies, must meet one of three national objectives which are: (1) Benefit to low-and moderate-income (LMI) persons; (2) Aid in the prevention of slums or blight; and (3) Meet a need having a particular urgency (referred to as urgent need). The City may carryout eligible CDBG activities to meet needs resulting from declared disasters or emergencies under any one of the three national objectives.

Responding to the COVID-19 Pandemic

The City may reprogram funds in its PY 2019 and/or PY 2020 and future CDBG, HOME, ESG, and State funding to respond to the COVID-19 pandemic.

Funding for activities that have required in-person interaction including, but not limited to, a variety of community/public services that allow for social distancing such as home-delivered

meal services, activities benefiting a variety of clientele including, but not limited to, low-income areas identified by the City and partnering health professionals, senior citizens and homeless populations to respond to or recover from the effects of the COVID-19 pandemic. Please see

below for other possible activities that may be funded. Any other possible eligible activity not included below may also be considered. The City will coordinate with subject matter experts before undertaking any activity to respond to the COVID-19 pandemic.

Section 19: Administrative Updates

Changes to the City of Montgomery's Citizen Participation Plan, Five-Year Consolidated Plan, and/or Annual Action Plan that do not meet the criteria for standard or substantial amendments and do not require citizen participation are defined as administrative updates. Examples of administrative updates include grammatical or structural edits that do not substantially change the scope or meaning of an activity; and, changes in the coding or eligibility determination of a project that does not change the scope, location, or beneficiaries.

Section 19: City Council Resolution for Adoption of the Citizen Participation Plan (CPP)

NOT ADOPTED AT THIS TIME