



City of Kent

2020-2024 Community Participation Plan

Community Development Block Grant (CDBG) Program

Amendment #2

**U.S. Department of Housing and Human Services
Parks, Recreation & Community Services
Housing and Human Services Division**

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1. Introduction

In compliance with **24 CFR 91.105**, the City of Kent is required to adopt a Citizen Participation Plan (hereinafter referred to as *Community Participation Plan*, so that the title explicitly includes non-citizen residents as well). This Plan welcomes resident engagement in the planning and evaluation of the Community Development Block Grant (CDBG) Program and outlines the process for public participation in annual CDBG planning; all are encouraged to participate.² The public is also invited to assist with implementation and monitoring of the program.

The City of Kent Parks Department, Housing and Human Services Division, conducts the planning and administration for the CDBG entitlement program. This Community Participation Plan sets forth the City's participation policies and procedures with respect to the following Consolidated Plan documents:

- Five-Year Consolidated Plan³
- Annual Action Plan
- Consolidated Annual Performance and Evaluation Report (CAPER)
- Analysis of Impediments to Fair Housing Choice/Assessment of Fair Housing (AI/AFH)

2. Development of the AI/AFH, Consolidated Plan, CAPER, and Plan Amendments

The City welcomes public participation in the development of the Consolidated Plan (CP) and amendments to the Plan. Prior to the adoption of the CP, the public will be advised of the amount of financial assistance that Kent expects to receive from HUD, the range of activities that may be undertaken, and the amount of funding expected to benefit low/moderate-income persons. **Annual Action Plans will be approved by the Kent City Council.**

A. AI/AFH Data

As soon as feasible after the start of the public participation process, the City will make HUD-provided data, and any other supplemental information the City plans to incorporate into the AI/AFH, available to residents, public agencies, and other interested parties. The City may make

¹ This version of the *Community Participation Plan* supersedes prior versions of the *Community Participation Plan*, formerly known as *The Citizen Participation Plan*.

² Those encouraged to participate include People of Color, Limited English Proficient/Non-English-Speaking individuals, economically disadvantaged residents, businesses, developers, non-profit organizations, philanthropic organizations, CBOs, faith-based organizations, public housing organizations and residents of public housing, people with disabilities, regional government, Human Service Commissions/Advisory Councils, mortgage lenders, realtors, education institutions, broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies in the process of developing the consolidated plan, etc.

³ Action Plan is released annually, and the Consolidated Plan is released every five years.

the data available to the public by referencing it directly on HUD's Web site (please note that HUD is not currently updating maps/data).

B. Mapping & Data Tool Information and Resource Links:

<https://www.hudexchange.info/resource/4867/affh-data-and-mapping-tool/>

AI/AFH Data & Mapping Tool: <https://egis.hud.gov/affht/>

C. CAPER

The CAPER, an annual report to HUD, residents, and stakeholders evaluating the City's performance on goals and objectives each year of the 2020-2024 Consolidated Plan, shall be approved by the Kent Human Services Commission (HSC). It does not require City Council approval.

3. Amendments and Revisions to the CP and Annual Action Plan

A. The Law Pertaining to Amendments

The City is required to adhere to specific procedures when it substantially amends its CDBG Plans. Law defining substantial amendment is found in 24 CFR 91.505; the City is required to amend its Consolidated Plan or Annual Action Plan when it:

1. Makes a change in its allocation priorities or a change in the method of distribution of funds;
2. Carries out an activity, using funds from any program covered by the Consolidated Plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan; or
3. Changes the purpose, scope, location, or beneficiaries of an activity.

B. Substantial Amendment - Community Participation Required

In accordance with the legal requirements listed above, the City will amend its CP and Action Plan when there is:

1. A proposed change in the use of CDBG funds that exceeds 30% of the total annual entitlement amount;
2. A proposed change of at least 25% in funds from one eligible activity included in the Annual Action Plan to another; e.g., if 25% of public service funds are taken from public service activities and awarded to capital activities;
3. A major change (deviates from the initial intent) in the purpose, scope, location, or beneficiaries of an approved activity; or
4. A decision to cancel or add a project/activity (activities moved to the following year are not considered cancelled).
5. A change to the seven (7) calendar days' notice for a public hearing or the 30-day public comment period.

In order to quickly respond with resources if a significant disaster (e.g., earthquake, flood, etc.) occurs, projects eligible under the Urgent Need CDBG national objective identified outside of

the annual allocation process will not trigger the amendment process outlined above if the total aggregate CDBG expenditure for such activities is \$100,000 or less.

When the substantial amendment process is triggered, a public notice will be published and there will be a comment period 30 calendar days prior to the Human Services Commission (HSC) meeting to act on the amendment, unless HUD waives this requirement under exigent circumstances. If the 30-day comment period is waived, the revised comment period will be stated in the public notice. Comments will also be accepted at the public hearing. (Substantial amendments are approved by the HSC unless the HSC determines that there are compelling reasons to seek City Council approval.) All comments that are submitted, either orally or in writing, during the comment period, shall be considered. A summary of public comments submitted and how they influenced the amendment (whether accepted or rejected) will be provided to the HSC and available to the public upon request. The amended CP/AAP will be published on the City's website and submitted to HUD.

C. Minor Amendments - Community Participation Not Required

Minor amendments are any changes to the Consolidated Plan that do not meet the criteria for a Substantial Amendment as noted above. Although minor amendments do not require public notice or review/approval by the Human Services Commission or City Council, written comments will be considered. Minor amendments will be posted on the City's website.

D. Revisions

Revisions to the CP or Annual Action Plan are edits, updates or corrections that do not alter the activities, purpose or intended beneficiaries of any of the strategies adopted in the Strategic Plan sections. Revisions do not require public notice or HSC review. Revised Plans will be published on the City's website.

AI/AFH Revision

The City shall revise its AI/AFH and submit it to HUD for review (within 12 months) under the following circumstances:

- (1) A material change occurs—a material change is a change in circumstances in the City that affects 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; or
- (2) If HUD notifies the City that a material change requires revision.

Amendments will be posted in the following location:

- The City of Kent, Housing & Human Services division website: <https://www.kentwa.gov/city-hall/human-social-services>; and
- An electronic link or an emailed copy of the amendment shall be sent to stakeholders.

E. Access to Information and Records

The City will provide up to **two free** copies of released drafts or final documents (Community Participation Plan, Amendments, Consolidated Plan, Annual Action Plan, Annual Performance Report, AFH). If City offices are closed due to emergency circumstance such as a pandemic, the City has the option of providing an electronic copy of the documents listed above. Additional copies may be provided at the City's discretion.

To obtain documents contact:

Housing and Human Services Division
Kent City Hall, 3rd Floor, 220 Fourth Avenue South
Kent WA, 98032
253.856.5070
humanservices@kentwa.gov

4. Public Hearings

A. Notice

The City of Kent will provide no less than seven (7) calendar days' notice for all public hearings unless HUD waives this requirement under exigent circumstances. Additionally, the City will provide a comment period 30 calendar days prior to the Human Services Commission (HSC) meeting to act on the amendment, unless HUD waives this requirement under exigent circumstances. If the 30-day comment period is waived, the revised comment period will be stated in the public notice. Comments will also be accepted at the public hearing. If City Council approval is required, the comment period will be 30 days prior to final Council approval, unless HUD waives the 30-day requirement. The public notice will note the revised comment period. The hearing will be held at locations accessible to people with disabilities. Information and records relating to the CDBG Program activities shall be made available to the public for review and comment according to the requirements of Federal, State, and local laws.

The notice will include the date, time, and location of the hearing, a brief description of the purpose of the hearing, and information about how to obtain a draft document if one is released. The notice will information about how the City will make reasonable accommodations for persons with disabilities.

A summary of public comments provided orally or in writing, during the comment period, will be summarized in the final document that is submitted to HUD. Final documents will also be posted on the City's website.

Notices will be posted in the following places:

- The City of Kent website: <http://www.kentwa.gov/government/public-notices>
- The City of Kent, Housing & Human Services division website: <https://www.kentwa.gov/city-hall/human-social-services>

B. Hearings - Two Hearings Held Annually

Two public hearings will be held per year to obtain residents' views and allow public response to proposals and questions, unless HUD decrease or waives the 30-day the public comment period, precluding a second hearing. The hearings will address housing and community development needs, development of proposed activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the AI/AFH.

- One hearing will be held before the Consolidated Plan, Action Plan, Substantial Amendments, and AI/AFH are published for comment (usually May, June, or July)
- A second hearing will be held after the Consolidated Plan, Action Plan, Substantial Amendments, and AI/AFH are published for comment (usually October), unless exigent circumstances and a HUD waiver preclude the second hearing.

C. Public Hearings May be Held in Person or Remotely

When there are exigent circumstances such as a pandemic, with HUD's approval; the City will host a virtual hearing in place of an in-person public hearing. The City will provide reasonable notification and access for residents in accordance with CDBG regulations, timely respond to questions and issues raised by the community, and provide public access to questions and responses.

D. Provisions for Non-English Speaking and Hearing-Impaired Residents

The City of Kent will provide interpreters at public hearings, upon request. Any "non-English" speaking or hearing-impaired resident who wishes to participate may contact the Housing and Human Services Division (HSD) at 253.856.5070, four (4) days prior to the hearings, so that the City has ample time to arrange for interpretation services. If exigent circumstance decrease the seven (7) calendar days' notice for the hearing, non-English-speaking or hearing-impaired residents who wish to participate must contact HSD three (3) days prior to the hearing. Reasonable accommodations at the public hearing, such as sign language interpretation or alternate formats for printed material, are available for individuals with disabilities with a minimum of four (4) days advance notice or three (3) days advanced notice if exigent circumstance decrease the seven (7) calendar days' notice for the hearing. Please call HSD and speak to someone directly to avoid leaving a message to someone who could be on leave. If you do not speak to someone directly, email humanservices@kentwa.gov. **If four (4) or three (3) days of notice is not provided, it may be impossible to make timely arrangements.** For TTY relay service, call Washington Telecommunications Relay Service at 711 or 1.800.833.6388.

5. The Application Process

If enough funding is available to open the application process, workshops are held every other spring to provide information about the application process and to solicit funding proposals.

To respond to emerging needs or to allocate excess funds, the City may release a Request for Proposals (RFP) or Request for Qualification and Quotation (RFQQ). Under special circumstances, the City may also enter into a sole source contract.

Projects which are canceled or those not expending their full CDBG award will not ordinarily trigger Plan amendments, recognizing that CDBG funds obligated to these projects will be re-obligated to new/other projects during the following year’s regular CDBG allocation process.

A. CDBG Application Process/Timeline

After applications are reviewed by the HSC, projects are selected, and the HSC makes funding recommendations to City Council, an initial draft of funding recommendations is released to the public.

CDBG CALENDAR (this is an estimated timeline)

March	CDBG & General Fund application workshop
April	Release applications
April	Technical assistance
April	Applications due
May	Public Hearing to receive input on the development of the Annual Action Plan, Consolidated Plan, & AI/AFH
June	Commission recommendations
July	Applicants notified that they’ve been recommended for funding
September	Public Notice/Draft Action Plan or Consolidated Plan released ⁱ
September – October	30-Day public comment period & Public Hearing
October	Plans taken to City Council for approval

Public hearing notices and draft documents can be downloaded from the Human Service division website at: <http://www.kentwa.gov/residents/human-social-services>.

B. Technical Assistance to Agencies

The City of Kent, division of Housing and Human Services, will provide technical assistance to Kent residents and agencies, particularly to low/moderate-income individuals who request assistance in developing project proposals, or who request other information (compliance requirements, program performance, funding information, etc.) outlined in the Consolidated Plan.

6. Other Information

A. Displacement

The City shall ensure that Any acquisition of real property for any activity assisted under this Agreement shall comply with the Federal Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. §§ 4601, et seq. (hereinafter the “Uniform Act” and the government-wide regulations applicable to all federally-assisted projects, effective April 2, 1989, at 49 CFR §§ 34.1, et seq.

- (1) Implementation of any project assisted with CDBG funds will be undertaken to minimize involuntary displacement of persons, businesses, nonprofit organizations, or farms to the greatest extent feasible.
- (2) Any displacement of persons, businesses, nonprofit organizations, or farms occurring as the result of acquisition of real property assisted with CDBG funds shall be conducted in accordance with the Uniform Act, and the regulations at 49 CFR §§ 24.1, et seq., required by federal CDBG regulations at 24 CFR § 570.606. The City and subrecipients shall comply with the regulations pertaining to costs of relocation and written policies, as specified by the Uniform Act.
- (3) The City of Kent and/or its designee shall offer relocation assistance to eligible persons, businesses, and nonprofit organizations that are displaced as a result of acquiring, rehabilitating, or demolishing real property assisted with entitlement funds. The City and/or its designee shall provide relocation advisory services to impacted persons. The City will provide proper notice to impacted persons for vacating property and provide financial assistance for eligible relocation expenses in accordance with the Uniform Relocation Act and Section 104(d) of the Housing and Community Development Act of 1974.

7. Non- Discrimination Policy/Complaint Review Process

It is the policy of the City of Kent to provide equal opportunity for services without regard to race, color, sex, age, national origin, religion, political affiliation, presence of handicap or disability, sexual orientation, or familial status.

Persons who feel that they have been discriminated against or who have a complaint pertaining to the City of Kent’s CDBG Program, may file a complaint in writing to:

City of Kent
Parks, Recreation & Community Services
220 Fourth Avenue South
Kent, WA 98032
ATTN: Parks Director

All complaints must include name and address of the person(s) filing the complaint; a description of the act or acts considered to be in violation; other available pertinent information which will assist in the review and resolution of the complaint.

Such complaints should be filed within 30 days of the alleged discriminatory act. A written response regarding the disposition of the complaint will be issued by the Director no later than 15 working days

following receipt of the complaint. A person who is dissatisfied with the response to the complaint, or [A2] if the response is delayed more than 15 working days, may appeal in writing to:

City of Kent
Mayor's Office
City Hall, 2nd Floor
220 Fourth Ave. South
Kent, WA 98032

A written response on the disposition of the complaint will be issued by the Mayor's Office no later than 30 working days following the receipt of the complaint. If the complainant is dissatisfied with the City's implementation of the CDBG program or the use of CDBG funds, he/she may also contact or submit a written complaint to:

United States Department of Housing and Urban Development
Community Planning and Development
Seattle Regional Office
909 1st Avenue, Suite 200
Seattle, WA 98104-1000
Phone: (206) 220-5101

No person shall intimidate, threaten, coerce, or discriminate against any person because he/she has made a complaint, testified, assisted, or participated in any matter in an investigation, proceeding, or hearing related to a complaint.

ⁱ Action Plan is released annually, and the Consolidated Plan is released every five years.