City of Brookhaven
U.S. Department of Housing and Urban Development Programs
Citizen Participation Plan

City of Brookhaven

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Introduction

The City of Brookhaven is committed to encouraging its citizens to participate in the planning, implementation and assessment of the performance of its federal community development, housing or other federally-funded programs.

As required by federal regulations 24 CFR Part 91.105, the City of Brookhaven (the "City") has developed this Citizen Participation Plan (the "Plan") to ensure citizen input is integral to planning how the City will use federal funds received annually from the U.S. Department of Housing and Urban Development (HUD). While income is initially anticipated to be majority via the Community Development Block Grant, this Plan is intended to apply to the City's participation in any future HUD Programs, included but not limited to including the HOME Investment Partnership Program (HOME), Emergency Solutions Grant (ESG), Housing Opportunities for Persons with Aids (HOPWA), the Neighborhood Stabilization Program (NSP), the Section 108 Loan Guarantee Program or others where public participation, notification and reporting requirements must be met.

The **Community Development Department** has primary responsibility for managing the citizen participation process, the development and implementation of programs and the reporting of annual accomplishments referenced in this Citizen Participation Plan.

Translation Services

For the purposes of supporting robust citizen input, all advertisements, public notices, draft documents and final plans will be available in both English and Spanish. Spanish language translation services will be made available at all Public Meetings. Public Comments will be reported in the language in which they are received and translated upon request.

Citizen Participation Plan

The goal of the Citizen Participation Plan is to fully integrate citizen input into the participation, planning and reporting activities required to successfully manage the City's HUD programs. These activities include developing the following:

1. Any amendment to this Citizen Participation Plan;
2. A five-year Consolidated Plan;
3. Each year's Action Plan;
4. All Annual Performance Reports; and
5. Any substantial amendment to the Consolidated Plan or Annual Action Plan.

The City considers it important to the success of its Consolidated Plan, Action Plans, Annual reports, and Certification of steps taken to Affirmatively Further

Fair Housing (AFFH) as well as other program activities to allow for citizen comment on the proposed uses of HUD funds, and the City will take appropriate actions to encourage the participation of residents who are intended to directly benefit from these federal funds. These may include minority residents, those who do not speak English, persons with disabilities, residents of areas designated as low- and moderate- income and/or target areas where Community Development Block Grant (CDBG) or other funds will be used.

The City may enlist nonprofit and community organizations, resident associations, housing and human service agencies and other groups to assist the City with fully engaging City residents in the planning and implementation of its federal programs. In addition, the **Community Development Department** will partner with the City's Communications Department to further this goal. Advertising and outreach to residents may include newsletters, press releases and web notices, along with other print or electronic materials to increase citizen input in the planning and ongoing performance of the City's federal programs.

Consolidated Plan/Annual Action Plan

In order to receive an annual allocation of federal funds from HUD, the City must submit a Consolidated Plan, which serves as the five-year strategic plan outlining the goals to be achieved. To implement the City's five-year goals, an Action Plan is submitted to HUD each year describing the location, cost, proposed accomplishments and other information related to each project or program. Federal regulations require that these funds be targeted where they will provide the greatest benefit to those residents who are meant to receive HUD assistance, primarily the City's low- and moderate-income residents.

In 2020, The U.S Department of Housing and Urban Development (HUD) issued the Final Rule on Affirmatively Furthering Fair Housing (AFFH) to clarify the regulatory framework of the 1968 Fair Housing Act. The 2020 rule requires the City to certify that it has "affirmatively further fair housing" (AFFH) through HUD's implementation of the 1968 Fair Housing Act and other applicable statutes.

In order to ensure the City is taking meaningful action to combat patterns of segregation, promote fair housing choice, and foster inclusive communities, the City will regularly conduct the appropriate community participation and consultation with other public and private service providers as well as advocate groups as part of the AFFH Certification. The City also will make HUD- provided data and any other supplemental information the City plans to incorporate into its Consolidated Plan AFH available to its residents, public agencies, and any other interested parties. The City may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website.

The City will use a combination of consultations with other agencies, public

hearings, the solicitation of written comments and other methods of public engagement throughout the process of developing its Consolidated Plan, Annual Action Plans, as its strategy for securing citizen input. The City shall also inform any Public Housing Agency (PHA) in when the Consolidated Plan may impact any public housing development, or the surrounding community, so this information may be included in the PHA's annual Comprehensive Grant program application.

Whenever the City elects to participate in other HUD programs, or make applications for additional funds not originally anticipated at the time of the adoption of its current Consolidated Plan or the Action Plan, the public notice requirements outlined in the Plan shall apply and the public will be encouraged to comment on the City's participation and planned uses of those funds.

Public Comment, Public Notice and Public Hearings

To encourage citizen input when developing or amending its Citizen Participation Plan, the City will hold one public hearing to present the draft plan or any amendment and make the plan available for public comment. The plan can be provided in alternative formats for the disabled, and to those residents who are non-English speaking, upon request and with adequate notice.

In addition to the Citizen Participation Plan, the City of Brookhaven will also publish its Consolidated Plan, Annual Action Plan, any substantial amendments and Annual Performance Report, for public comment prior to submitting these documents to HUD. A minimum of two public hearings will be held each program year to solicit citizen views. This is to ensure that the City follows its Citizen Participation Plan and fully integrates citizen input into these documents to ensure the best application of HUD funds to community needs. Included in the Annual Action Plan will be the anticipated CDBG, or other HUD funds, that the City reasonably expects to receive each year, and the estimated benefit to low- and moderate-income residents.

It is required by federal regulations 24 CFR Part 91.105(b)(1) that the City also describe how it will address any HUD-funded project or program that may displace residents. This must include how the City will assist any displaced person and the levels of assistance to be provided even if the City anticipates no displacement through its HUD-funded activities. Although the City does not anticipate displacement during this 5-year Plan, every effort will be undertaken to minimize displacement. The City will develop a policy regarding displacement prior to commencing any federally funded activity that may result in displacement. In the event displacement should occur, then 49 CFR Part 24 (Uniform Relocation Act) will be followed.

Public Notice Advertisement

The City of Brookhaven will publish opportunities for its citizen's to comment on its HUD-funded activities to maximize the performance of its community development programs. Notices to solicit comments from Brookhaven residents will be published in the *Champion Newspaper or the Atlanta Journal Constitution* as the City's media resource for all legal notices and publications as allowed per Resolutions 2012-12-05 and 2013-01-04. In addition, public notices may be advertised in, *Mundo Hispanico,* and through direct mailings and email notifications to those citizens or organizations who have requested such notification.

Public notices will be published at least 15 calendar days prior to a public meeting, public hearing or other event designed to gather citizen input on the City's HUD-funded activities. In addition, the Office of the City Clerk will post notices of pending meetings according to the Georgia Open Meetings Act as published at O.C.G.A.§50-14-1 through §50-14-6. Additional public announcements will be coordinated with the City's Communications and Media Department as necessary.

When soliciting input for the City's Consolidated Plan, Annual Action Plan, substantial amendments or Annual Performance Report, a summary description of each will be provided in each public notice for informational purposes with complete copies of each document referenced in the notice available for review by citizens at the following locations:

City of Brookhaven
City Hall Reception Area
4362 Peachtree Pkwy
Brookhaven, GA 30319
404-637-0500

DeKalb County Public Library
Brookhaven Branch
1242 North Druid Hills Rd NE
Brookhaven, GA 30319
770-552-4889

The Latin American Association
2750 Buford Highway NE
Brookhaven, GA 30324
404-638-1800

The City of Brookhaven will provide a reasonable number of free copies of each document for those who request copies with sufficient notice. Each document will also be available on the City's website at www.Brookhavenga.gov. The Community

Development Block Grant Program is accessed through this website and program documents are posted there for citizen review and comment. Citizens who may require this information in alternative formats may contact the **Community Development Department** at 404-637-0500.

Consolidated Plan / Annual Action Plan Public Hearings

Prior to the development of the draft Consolidated Plan, Annual Action Plan, a plan amendment, or an application for program funds not anticipated in a current plan, the City will hold a public hearing. The intent of this public hearing is to obtain citizen views, discuss the City's participation in HUD programs and respond to related questions. It is also an opportunity for citizens to discuss community needs and goals that can be addressed using HUD funds in a public forum before the Brookhaven City Council.

All public hearings will be held at the Brookhaven City Hall to provide reasonable and timely access to persons who may be actual or potential beneficiaries, as well as to those who may be disabled and require special accommodations to participate. Translation services will be made available where it is reasonably anticipated there will be a significant number of non- English speaking residents in attendance or if such services have been requested. However, citizens who require such services should contact the **Community Development Department** at least seven calendar days prior to the scheduled public hearing at 404-637-0500.

Citizen input will be used to inform decisions on how the City can maximize the performance of its HUD-funded activities as it prepares a draft of the Consolidated Plan, Action Plan or other funding applications. This draft will be published for a minimum 30-day public comment period prior to final plan or application adoption by the Brookhaven City Council.

Public comments are encouraged throughout the plan or application development process, and the outcome of their consideration by the City, will be included as attachments to the adopted plan or application that is submitted to HUD. All written comments submitted shall receive a timely, substantial response by the City within 15 calendar days of receipt.

In the event that national or local health officials recommend social distancing and/or limited public gatherings for public health reasons, virtual or web-based hearings will be used in lieu of in-person hearings. If this format is used, accommodations for real-time responses, timely responses from local officials to all citizen questions and issues, public access to all questions and response and accommodations for persons with disabilities or limited English proficiency will be made to the greatest extent possible.

The hearings generally address housing, social, and community development

needs, proposed activities and the review of program performance. On the day of the public hearing, comments may be submitted in writing or made orally during the hearing.

Notices During a Disaster or State of Emergency

In the event of certain disasters or emergencies HUD may provide waivers and or alternative requirements relative to public notification processes. In such events, the City will avail itself of any alternatives, provided that will help in the expediting notifications for the delivery of assistance to the communities.

Plan Amendments

Over the course of the City's program year, it may be necessary to amend the adopted Consolidated Plan or Annual Action Plan due to a change in purpose, scope, location, budget, beneficiaries or other conditions, as published in either plan. HUD regulations state that the City must define the criteria that trigger an amendment to the Consolidated Plan or Annual Action Plan in its Citizen Participation Plan.

However, cities are given flexibility by HUD to define what constitutes a program substantial amendment. For the purposes of the City of Brookhaven' Consolidated Plan and Annual Action Plan, a substantial amendment shall be defined as:

1. Any budgetary change in activity under the current Consolidated Plan or Annual Action Plan that increases or decreases the pre-amendment funding for a project, program or other activity by 50%; or

2. Any change to the existing Consolidated Plan or Annual Action Plan that adds a <u>new</u> priority, project, program or funding, not considered at the time of the original plan's adoption, in order to undertake new activities during that fiscal year;

3. Any change in either plan that reallocates CDBG funds from one eligible activity to another; or

4. City participation in a new program or activity where HUD regulations specifically require the Citizen Participation Plan, Consolidated Plan and/or Action Plan be amended, such as the Section 108 Loan Guarantee Program regulations 24 CFR Part 570.704(a)(2).

This Plan may be changed from time to time to enhance clarity, enhance the process for encouraging constructive citizen participation, or to incorporate requirements, waivers, or flexibilities allowed by HUD or other federal entities.

Some changes are considered substantial changes. Substantial changes consist of changes to comply with federal amendments.

When substantial changes are made to the Plan, a summary of the changes will be provided, allowing citizens a reasonable opportunity to comment. The entire document will be available with the Consolidated Plan and Action Plan. The amended Plan will be adopted following the fifteen-day public comment period, or the applicable shortened period allowed by HUD through the special waivers or flexibilities.

The City will follow the public notice and comment policies described in this Plan when a revision to an adopted Consolidated Plan, Annual Action Plan, other HUD requirement triggers a substantial amendment or revision. Citizens who may require a copy of the amendment in an alternative format may call the **Community Development Department** at 404-637-0500.

Any comments received by the City on the substantial amendment shall be considered when preparing the final amendment for adoption by the Brookhaven City Council. Comments on the amendment, and the outcome of the City's consideration, shall be included at the time of adoption by City Council. All adopted substantial amendments will be forwarded to HUD as attachments to the amended Consolidated Plan or Annual Action Plan.

Other amendments to the Consolidated Plan, Annual Action Plan, that do not meet the definition of substantial amendments may be made by the **Community Development Department** and are not subject to public notice or comment requirements. However, the department may elect to advertise what would be considered a "minor" amendment when opportunities for additional public comments are desirable. A minor amendment would be defined as a change that meets these criteria, but does not rise to the level of other actions which trigger a substantial amendment, advertising and public comment.

Performance Reports

An integral part of measuring the success of the City's HUD-funded activities is the publication of a Consolidated Annual Performance Report. This report provides an objective assessment of the City's progress toward meeting the Consolidated Plan's five-year goals through yearly Action Plan activities. The City will publish a draft of its Annual Performance Report for citizen review and comment prior to adoption of the report by the Brookhaven City Council. A 15-day public comment and review period will be provided for citizens to comment on the City's program performance each year. Citizens who may require a copy of the Annual Performance Report in an alternative format may call the **Community Development Department** at 404-637-0500.

Any comments received by the City on the Annual Performance Report will be included in a draft report submitted to the Brookhaven City Council prior to the Council adopting a final report. A public hearing will be provided at a regularly scheduled City Council meeting for citizens to provide input on the City's annual performance report. Any comments on the report, and the outcome of the City's consideration, will be included in the report submitted to City Council for final adoption. The adopted report will be forwarded to HUD as the City's official performance and accomplishments report for the applicable program year.

Document Retention

HUD regulations 24 CFR Part 91.105(g) require that the Plan describe how the City's Consolidated Plan, Annual Action Plan, any substantial amendments, Annual Performance Reports, AFH or AFH revisions, as well as any documents associated with a Section 108 loan will be retained for a 5-year retention period. All documents developed in response to Brookhaven's participation in HUD's entitlement or other programs will be retained according to the City of Brookhaven Record Retention Policy and are available for review with sufficient notice. Citizens wishing to examine program documents should contact the **Community Development Department** at 404-637-0500. The City requests that at least three days prior notice be given to allow staff to assist with document retrieval and to be present at the time of review to assist those interested in the documents.

Confidentiality

At some undetermined future date, the City may elect to use its federal funds to leverage private resources that may require the submission of proprietary information. To ensure confidentiality, such information shall be exempted from review to the fullest extent permitted by law. The City will also take all necessary measures to ensure that sensitive beneficiary information that may be contained within the department's files is in compliance with all federal, state and local privacy requirements.

Technical Assistance

Upon request, the **Community Development Department** will provide technical assistance to any group representative of persons of low- and moderate-income interested in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan. **The Community Development Department** may determine, at its discretion, the level and type of assistance

following consultation with those who are requesting technical assistance. Technical assistance will be provided in this capacity only in response to any RFP the City may develop related to its federal programs, upon request. However, general requests for information are welcome and may be directed to the department as needed or submitted to the cdbg@Brookhavenga.org mailbox.

Complaint Procedures

The City of Brookhaven encourages its citizens to provide ongoing feedback related to the planning and administration of its federal programs. Should a citizen have concerns related to the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, any substantial amendments, or any other HUD program document or procedure, the City welcomes concerns or complaints to be submitted in writing. The City will provide a timely, substantive written response to every citizen complaint, within 15 working days, where practicable, as required by federal regulations. Written complaints may be submitted to:

Community Development Department
ATTN: HUD Program Comment
City of Brookhaven
4362 Peachtree Rd
Brookhaven, GA 30319

Those wishing to submit concerns or complaints electronically may also email those to cdbg@Brookhavenga.org.

Use of Citizen Participation Plan

Brookhaven is committed to ensuring that it will follow this Citizen Participation Plan in all aspects of the planning and administration of any current or future applicable federal programs.

Disasters, Emergency Provisions

In the event of a declared disaster or emergency, it may be necessary to expedite the adoption of the Annual Action Plan and/or substantial amendments to the Consolidated Plan. These 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 may utilize CDBG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period, which is otherwise required, as allowed by law.

With respect to a declared disaster or emergency event, the City may elect to use CDBG funds to address needs not provided for by the FEMA and the Small Business Administration or other disaster relief efforts. Funding for disaster relief may not

duplicate other efforts undertaken by federal 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 eligible use. HUD may provide new guidance on eligible uses in which the City may comply with and may utilize as well.

In the event of declared disaster or emergency event, such as a pandemic or any other event that leads to the closure of City Hall, the City has the option to use the following provisions:

When soliciting input for the City's Consolidated Plan, Annual Action Plan, substantial amendments or Annual Performance Report, a short summary description of each will be provided in each public notice for informational purposes and will be posted online on the City's website www.Brookhavenga.gov. Hard copies will not be required to be posted.

Public comment will be received solely via email at
cdbg@Brookhavenga.gov

Public hearings may be held virtually, to be consistent with national and/or local health authorities recommendations regarding social distancing, limitation of public gatherings and other recommendations made for the health and safety of the general public. The meeting announcement will include a process detailing how citizens can virtually participate in said public hearings.

The public comment period may be shortened to 5 days, or to the public comment period authorized by the enabling legislation.

See Attachments A & B following.

Attachment A
Public Comments Received Brookhaven Citizen Participation Plan 2020

September 15
Freddy Elorza
I would like to get a copy of The City's DRAFT Citizen Participation Plan. Is it only available in person at City Hall? Or can I be sent a PDF?

September 18, 2020
Marian Liou
I'm writing to request the following in relation to the Citizen Participation Plan for CDBG funds.

(1) Spanish translation of all required public notices;
(2) direct mail and email notification of any required public notice to me at the following physical and electronic mailing addresses:

Address and personal email removed for privacy. Documents provided.

(3) physical English- and Spanish-language copies of all documents available at a physical location that is more accessible to residents on the Buford Highway corridor, especially for people without access to cars. There is no convenient transportation by public transit from Buford Highway to City Hall on Peachtree Road. One possible location is the Latin American Association.
(4) Spanish translation/interpretation services at all public hearings, whether virtual or in-person.

Tim Isaacson, Executive Director Immigrant Hope-Atlanta
I want to add my voice to the wisdom of having a citizen's participation plan to help guide the use of community development block grant funds for affordable housing. Much of the relational and communication structure needed to help guide the best use of these funds already exists with established community organizations and groups.

It is vitally important that required public notices be available in the languages of the people affected by the block grant (Spanish, Vietnamese, etc). I am also asking that you provide us with any public notifications so that we can share them with our network. You can use this email address for notifications.

I would also suggest that you have multiple sites to distribute physical copies of all documents to residents along Buford Highway (for example CPACS, the LAA, etc.).

Finally, I would also request translation/interpretation services be available at all public hearings.

Thank you for your time and attention. The time honored American tradition of participation in decision making with both access and representation in the process of deliberation are vitally important to a healthy democracy. I hope you will continue it with the inclusion of a citizens participation plan and communication and access to materials for the affordable housing community block grant process.
If you need anything else in support of this request, please contact me.

September 19
Janette Goeser
I'd like to request a copy of the HUD draft plan. Do you mail it? If so, here is my address:
Address removed for privacy. Documents provided.

September 20
Michael Runestad
To help Brookhaven get more than perfunctory feedback, I am submitting the following three comments regarding the city's planned approach for CDBG-related engagement:

- ***Missing targeted outreach***. The plan includes when/if a translator will be made available if non-English speaking attendance is expected, but it also puts responsibility on those needing the service to request it. Considering the purpose of the grant and demographics of the city, this approach is a mistake. As the plan includes two public hearings for the annual plan, one of them should be intended for Spanish-speaking populations, with extra outreach and support preassigned.
- ***Should utilize other city-run communication channels***. Beyond just responding to written comments and holding meetings, there should be a use of digital formats. For example, the city can post and respond to an English- and Spanish- language Facebook post, and URLs to those posts can then be shared via other channels, such as the weekly e-newsletter or other social media accounts.
- ***Needs plain language requirement***. To ensure outreach materials and the plan itself are accessible, the citizen participation plan should require baseline readability statistics for outreach materials and major plans. The functionality to calculate these metrics is already built in to Microsoft Word, and the plan itself was posted as a Word file; therefore, this action can be done without any additional expense. The city should also include how these statistics will determine if something is ready to be released to the public.

Many thanks for your consideration of my feedback.

September 21
Aixa Pascual, Managing Director, Advocacy The Latin American Association

We'd like to offer some input on the citizen participation plan to determine how the CDBG funds will be spent. This offers a great opportunity for engaging the city's Latino population, which represents about 25% of residents and lives mostly on the Buford Highway area.
We'd like to ask for the following:
1) Spanish translation of all required public notices;
(2) direct mail and email notification of any required public notice sent to apascual@thelaa.org
(3) physical English- and Spanish-language copies of all documents available at the Latin American Association; and
(4) translation/interpretation services available at all public hearings.
We look forward to supporting the citizen participation plan.

Victoria Huynh, Vice President, Center for Pan Asian Community Services, Inc.
Thank you for your request for input and comments for the City of Brookhaven Citizen Participation

Plan. As a member of the CKSNI Community, we would like to provide the following recommendations:

1. Continue to include translations for Spanish on all public notices and/or vital documents within the City Limits
2. Consider translation for the top 5 languages spoken in the City of Brookhaven
3. Provide and distribute information at
    a. nonprofits that serve the Brookhaven community, including Los Vecinos De Buford Highway, Latino Community Fund, and the Center for Pan Asian Community Services, inc.
    b. Brookhaven Library
4. Designate translation/interpretation financial resources to nonprofits serving the Brookhaven residents at community meetings, town halls, and events.

Thank you for your time and consideration.
Clarification received September 30
As we talk to partners and community members, we would like to request that there is a budget for designated translators and interpreters at these public meetings and for the outreach for these activities.

September 24
William Hines, Jr
The HUD Citizen Participation Plan posted to the City of Brookhaven website listed three different contact numbers for the Brookhaven Community Development Department.....only one appears to work.

Ph: 404-637-0500 connects to the City of Brookhaven
Ph: 404-647-0500.....I can not get it to connect
Ph: 770-637-0500.....I can not get it to connect
Is this a mistake? Should the document be reposted? Was this the reason there was no Public Comment at the Public Hearing 22 September 2020? Please see document attached below.
Note: All public notices, legal advertisements, web site postings were reviewed and the correct information as posted. Typographical error corrected in plan.

END
Attachment A

Attachment B - Summary of 24 CFR Part 91.105 Requirements

No.	Document	Requirement	Public Notice	Comment Period	Publication Methods	Notice Summary
1.	Citizen Participation Plan and Substantial Amendment to Citizen Participation Plan	1 Public Hearing Required Presentation of Draft Plan	Yes Comment notice	15 calendar days minimum	*Champion Newspaper, Mundo Hispanico* city website, local notices, etc.	Plan intent, availability, address for submission of comments; contact information.
2.	Consolidated Plan/ Annual Action Plan	2 Public Hearings Required Public hearing #1: Draft Plan Development Public hearing #2: Draft Plan for Comment	Yes 15-day notice minimum prior to hearing	30 calendar days minimum	*Champion Newspaper, Mundo Hispanico* city website, local notices, etc.	Contents and purpose of plan; information on relevant meetings or outreach; locations where full plan is available for review; date, time and location for public hearings; address for submission of comments on plan; contact information.
3.	Consolidated Plan, Annual Action Plan, or application for new HUD funding resources, or participation in a new program	1 Public Hearing Presentation of Draft Amendment	Yes 15-day notice minimum prior to public hearing	30 calendar days minimum	*Champion Newspaper, Mundo Hispanico* city website, local notices, etc..	Description of proposed amendment including budget, location and beneficiaries; new program participation or application for funding; date, time and location of public hearing; address for submission of comments; contact information.
4.	Annual Performance Report	1 Public Hearing Presentation of Draft Report	Yes 15-day notice minimum prior to hearing	15 calendar days minimum	*Champion Newspaper, Mundo Hispanico* city website, local notices, etc.	Announcement and location of report availability; address for submission of comments; contact information.
5.	Public comment response	15 calendar days	No	N/A	N/A	Timely and substantive response to all written comments.

END