

**Summary of Proposed Revisions to the Citizen Participation Plan
June 2020**

Includes virtual hearings as an allowed method for citizen participation;
See page 7

Updates the types of declared disasters or emergency events to include terrorism and infectious diseases, such as the recent coronavirus 19 (COVID-19) pandemic, that may necessitate expedited substantial amendments;
See page 10

Provide details on possible actions, including reprogramming of funding and types of possible activities that may be undertaken in response to the COVID-19 pandemic;
See page 10

Includes provisions relative to Consolidated Plan citizen participation and CDBG waivers made available under the Coronavirus Aid, Relief, and Economic Security (CARES) Act;
See page 10

City of Port Arthur

Citizen Participation Plan

In 1994, the U.S. Department of Housing and Urban Development (HUD) issued new rules consolidating the planning, application, reporting and citizen participation processes of four formula grant programs: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Shelter Grants (now Emergency Solutions Grants), and Housing Opportunities for Persons with AIDS (HOPWA). The new single-planning process was intended to more comprehensively fulfill three basic goals: to provide decent housing, to provide a suitable living environment, and to expand economic opportunities.

Provision of decent housing may involve assisting homeless persons in obtaining appropriate housing, retaining the affordable housing stock, increasing the availability of affordable housing for low-income households without discrimination, and/or increasing supportive housing to assist persons with special needs.

Providing a suitable living environment might entail improving the safety and livability of neighborhoods, including adequate public facilities, restoring and preserving natural and/or physical features with historic, architectural or aesthetic value, or conserving energy resources.

Expanding economic development opportunities may involve the creation of accessible jobs for low- and moderate-income persons or households to achieve self-sufficiency, job training, or small business loans.

The Consolidated Plan is a three-part planning process required by HUD. It comprises the development of a five-year strategic plan, preparation of annual action plans, and submission of annual performance reports. These parts are intended to furnish the framework whereby the City of Port Arthur can identify its housing, homeless, community, and economic development needs, define resources and actions to be taken that will address the needs, as well as assess and evaluate the City's progress toward achieving its strategic goals. Completing these documents on time and in a manner that is acceptable to HUD ensures compliance and continued CDBG program funding.

The precursor to the planning process is the Citizen Participation Plan (CPP). The objectives of the CPP are to ensure that the citizens of Port Arthur, mainly persons of low- and moderate-income, persons living in slum and blight areas, limited clientele, units of local government, housing agencies, and other interested parties are provided with the opportunity to participate in the planning and preparation of the Consolidated Plan, including amendments to the Consolidated Plan, Annual Action Plans including amendments to Annual Action Plans, and Consolidated Annual Performance Evaluation Reports (CAPERs). In doing so, the CPP sets forth general policies and procedures for implementing and carrying out the Consolidated Planning process, such as how plans will be developed, dates and milestones, and methods for citizens to offer opinions, assistance, and guidance to the City of Port Arthur in the formulation of plans. Furthermore, the provisions of the CPP fulfill statutory and regulatory requirements for citizen participation specified in the U.S. Housing and Urban Development's rules.

Encouraging Citizen Participation

To ensure maximum participation among all populations and needs groups, and to ensure that their issues and concerns are adequately addressed, the Grants Program Administrator and other staff or consultants involved as necessary, will follow the standards outlined in the CPP during the development of the Consolidated Plan, Annual Action Plans, Consolidated Annual Performance Evaluation Reports, and such substantial amendments as required, and seek opportunities to expand participation.

Interested groups and individuals are encouraged to provide input into all aspects of Port Arthur's CDBG activities, from assessing needs to set priorities through performance evaluation. By following the CPP, numerous opportunities for citizens to contribute information, ideas, and opinions about ways to improve our neighborhoods, promote housing affordability, and enhance the delivery of public services to residents will occur.

The City of Port Arthur is committed to keeping interested groups and individuals informed using a combination of communication methods during each phase of the consolidated planning process and activities being proposed or undertaken under the HUD CDBG program.

Opportunities to comment on or participate in planning community development and affordable housing activities and projects will be publicized and disseminated throughout the City of Port Arthur.

The City of Port Arthur certifies that it will, before it adopts the Consolidated Plan:

- Make available to citizens, public agencies and other interested parties information that includes the amount of Consolidated Plan funds available, the range of activities to be undertaken, and the estimated amount that will benefit low and low/moderate income persons.
- Publish its proposed Consolidated Plan community-wide, to include a description of activities in sufficient detail, including location, to allow citizens to determine the degree to which they may be affected. Citizens, public agencies and other interested parties will be provided a reasonable period, not less than thirty (30) days, to examine the contents of the document. Community-wide means that the City will publish summaries in the Port Arthur News, post on the City's Website, and may post or distribute notices on social media. The complete proposed Consolidated Plan and free copies thereof, will be available at the Grants Management division and posted on the City's Website. Upon request, the Grants Management division will make the material available in a form accessible to persons with disabilities.
- Provide at least two (2) public hearings to obtain citizen views and to respond to proposals and questions at all stages of the Consolidated Plan process. The hearings will be held at two (2) different stages of the program year. At least one (1) hearing will be held before the proposed Consolidated Plan is published for comment. The hearings shall be held after adequate notice, as set out below, at times and locations convenient to potential or actual beneficiaries, and with accommodation for the handicapped. Accommodations will be made for non-English speaking residents, if so requested at least five (5) days before the hearing. This requirement will be set out in the notice.

The hearings will address housing and community development needs, priority non-housing community development needs, development of proposed activities, and review of program performance.

The City will consider any comments or views of citizens, public agencies or other interested parties that are received in writing, or orally at the public hearings in preparing the final Consolidated Plan. A summary of comments and views

accepted, and a summary of comments and views not accepted and the reasons therefore, will be attached to the final Consolidated Plan.

Criteria for *substantial amendments* to the Consolidated Plan: The City will use the “25% rule” in determining when an amendment is necessary to the Consolidated Plan. Whenever the City elects not to carry out an activity that was previously described and approved by HUD; to change the purpose, scope, location or beneficiaries of an activity; or when the City proposes to add a new activity, an amendment must be submitted to HUD. If more than 25% of the activity changes from its original purpose, then the amendment is considered “substantial” and citizens will be afforded an opportunity to comment on such amendments.

For CDBG funding under the fiscal year 2019, the fiscal year 2020 and the Coronavirus Aid, Relief and Economic Security Act or CARES Act, the City of Port Arthur may provide a 5-day notice of a proposed change or substantial amendment beginning May 19, 2020, as allowed under a HUD waiver.

The City certifies that it will:

- Publish the proposed amendment(s), to include a description of activity(s) in sufficient detail, including location, to allow citizens to determine the degree to which they may be affected. Citizens will be provided a reasonable period, not less than thirty (30) days, to comment on the amendment(s) before the amendment is implemented. The City will publish the proposed amendment through notices in the Port Arthur News, post on the City’s Website, and may post or distribute notices on social media.
- The City will consider any comments or views of citizens that are received in writing, or orally in response to notices of consideration of a substantial amendment. A summary of comments and views accepted, and a summary of comments and views not accepted and the reasons therefore, will be attached to the amendment of the Consolidated Plan.

Performance Reports

- Publish a summary of the proposed performance report. Citizens will be provided a reasonable period, not less than fifteen (15) days, to comment on the performance report before the report is submitted to HUD. The City will publish a summary in the Port Arthur News, post on the City's Website, and may post or distribute notices on social media.
- The City will consider any comments or views of citizens that are received in writing, or orally in response to publication of the summary of the performance Report. A summary of comments and views accepted, and a summary of comments and views not accepted and the reasons therefore, will be attached to the Performance Report.

Public Hearings and Meetings

Consolidated Plans & Annual Action Plans

The City will hold at least two (2) Public Hearings annually during different stages in the development of the Consolidated Plan. The first hearing will be held before the Consolidated Plan is published, to allow for citizen input. The hearings will address housing and community development needs, and non-housing community development needs, development of proposed activities, and review of program performance. The summaries/notices will contain enough information to permit informed comment. The summaries/notices will also state where the entire document will be available for review and where free copies may be obtained.

Adequate notice will be deemed to have been given if the summary of the Consolidated Plan or Action Plan, amendment, or performance Report are published in the Port Arthur News and/or posted on the City's Website, at least ten (10) days before the date of the Public Hearings.

The times and locations of the Public Hearings will be convenient to the general public. The City will take every effort to accommodate the disabled with special needs or other physical accessibility, if so requested at least 5 days before the hearing. If the City schedules a public hearing at a site other than City Hall, the City will ensure that the site is accessible to the disabled. Upon request at least 5 days before the hearing, the City will accommodate the visually impaired by presenting the information in large print or provide the information orally.

If a significant number of non-English speaking residents are expected to participate, or upon special request provided to the City at least five (5) days before the hearing, the Department will take every effort to accommodate such residents by presenting the information in the language requested, and/or by having a translator present at the hearing.

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 hearing if the City of Port Arthur offices are closed, or an emergency has been declared, or national or local health authorities recommend social distancing and limit public gatherings for public health reasons

Access to Records

The City will provide citizens, public agencies, and other interested parties with access to information and records related to the City's Consolidated Plan and the City's use of assistance under any of the programs covered by the Consolidated Plan during the five (5) years preceding the date of the request. The information requested will be made available, wherever possible, within fifteen (15) working days of the day of the written request, in compliance with the City's Open Records Policy.

Technical Assistance

The Department will provide technical assistance to groups representative of persons of low- and moderate-income that request assistance in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan. The assistance need not include the provision of funds to the groups.

Complaints

The City will respond to every written complaint it receives related to the Consolidated Plan, amendments, and performance reports. The City will, where practical, provide a substantive, written response within fifteen (15) working days from the date the complaint was received.

General Information

Comments related to the Consolidated Plan, amendments, and the annual Performance Reports may also be sent directly to:

Ms. Joyce Young
CPD Representative
U.S. Department of Housing and Urban Development
Houston Field Office
1301 Fannin, Suite 2200
Houston, Texas 77002
(713) 718-3120

Unless otherwise stated in the Notices, applications, performance reports, the Citizen Participation Plan, the Consolidated Plan, the Environmental Review record, or any documents and records pertaining to any of these are on file and available for public review at the office of the Grants Management office, 444 4th Street, Port Arthur, Texas, during normal business hours.

Workshops on specific issues (e.g. changes in program regulations) will be held on an as-needed basis, and with adequate notice. In addition, CDBG and HOME Program staff are available to provide additional assistance and guidance upon request. Please contact the Grants Management office at 409-983-8251 to schedule an appointment.

Access to Meetings for Persons with Disabilities and Non-English-Speaking Persons

The City shall ensure that architectural barriers do not preclude the attendance of disabled persons at meetings and hearings convened under this Citizen Participation Plan. Also, accommodations will be made, upon request, for attendees who are either visually or hearing impaired.

For requests for special accommodations or materials in an alternative format, please contact the Grants Management office at (409) 983-8251.

Plan Review

The City will publish draft plans, amendments, and CAPERs for public review at or before the time of public notice in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and submit comments.

A summary of plans will be published in the Port Arthur newspaper of local general circulation at the beginning of the public comment period. The summary will describe the contents and purpose of the plan, amendment, or report and include locations where copies of the entire proposed plan, amendment, or report may be obtained or examined.

The following locations are among other locations where copies of plans may be made available:

- City's Website: www.portarthurtx.gov
- Grants Management Office - 444 4th Street, Port Arthur, Texas 77640

Public Comments

The City of Port Arthur, as lead agency, will receive comments from residents on proposed Consolidated Plans and Annual Action Plans for a period not less than thirty (30) days before submission to HUD.

All comments or views of citizens received in writing during the applicable public comment period will be considered in the preparation of the final Plans or amendments. A summary of these comments and views including whether they were not accepted and the reasons shall be included in the final plan or amendment submission to HUD.

Public comments received in writing that includes an email or mailing address will be responded to in writing within fifteen (15) days of receipt.

Plan may contact the Grants Program Administrator. Such assistance may be of particular value to community organizations, non-profit

service providers, neighborhood associations, businesses, for-profit and non-profit housing developers that serve to represent persons or areas of low- and moderate-income

Disaster/Emergency Events That May Require Expedited Substantial Amendments

It may be necessary to amend the Consolidated Plan in the event of a declared disaster or emergency. There are three (3) 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 flooding, tornadoes, earthquakes, wildfires, and public health issues such as wide-spread diseases 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 amendments may include funding new activities and/or the reprogramming of funds, including canceling activities to meet community development needs resulting from a declared disaster or emergency. Therefore, the City of Port Arthur 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 for substantial amendments. For CDBG funding under the fiscal year 2019, the fiscal year 2020, and the Coronavirus Aid, Relief and Economic Security Act, or CARES Act, the City of Port Arthur may provide a 5-day notice of a proposed change beginning May 19, 2020, as allowed under a HUD waiver.

With respect to a declared disaster, the City of Port Arthur may elect to use CDBG 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 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 will comply and may utilize it as well.

All eligible CDBG activities, including those to address declared disasters or emergencies, must meet one of three (3) 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. The City of Port Arthur may carry out eligible CDBG activities to meet needs resulting from declared disasters or emergencies under any one of the three (3) national objectives.

If the City of Port Arthur is closed to the public, or has declared an emergency, or for as long as national or local health authorities recommend social distancing and limiting public gatherings for public health reasons, virtual public meetings and hearings may be used to fulfill applicable public hearing requirements instead of in-person. Real-time responses and accommodations for persons with disabilities and/or limited English proficiency will be made available to the greatest extent possible.

Urgent Need Objective: To comply with the national objective of meeting community development needs having a particular urgency, an activity will alleviate existing conditions that the City of Port Arthur certifies:

- Pose a serious and immediate threat to the health and welfare of the community;
- Are of recent origin or recently became urgent;
- The City is unable to finance the activity on their own; and
- Other resources of funding are not available to carry out the activity.

A condition will generally be considered to be of recent origin if it developed or became critical within eighteen (18) months preceding the City's certification.

If HUD allows, such as through a waiver, activities under the urgent need national objective to be funded without the requirements that the City is unable to finance the activity on its own and other resources of funding are not available to carry out the activity, the City will only certify that the activity poses a

serious and immediate threat to the health and welfare of the community and is of recent origin or recently became urgent.

Urgent need activities may include, but not limited to, the following:

- Clearance of debris;
- Provision of extra security patrols;
- Demolition, clearance and/or reconstruction of damaged property posing an immediate threat to public safety;
- Emergency reconstruction of essential water, sewer, electrical, medical, and telephone facilities;
- Emergency repair of streets and sidewalks; and
- Providing a variety of relief services to individuals

Responding to the COVID-19 Pandemic

The City may reprogram fiscal year 2019, 2020, and future CDBG funding to respond to the COVID-19 pandemic.

Potential eligible CDBG activities that may be undertaken to support the COVID-19 response include, but are not limited to:

- **Building and improvements including public facilities such as constructing testing and diagnosis, or treatment facility; rehabilitation of a community facility to establish an infectious disease treatment clinic; acquisition and rehabilitation, or construction of a group living facility that may be used to centralize patients undergoing treatment; rehabilitation of a commercial building or closed school building to establish an infectious disease treatment clinic, e.g. by replacing the HVAC system; acquisition and rehabilitation of a motel or hotel building to expand the capacity of hospitals to accommodate isolation of patients during recovery; or to make interim improvements to private properties to enable an individual patient to remain quarantined on a temporary basis.**
- **Assistance to Businesses, including Special Economic Development Activities such as providing grants or loans to support new business expansion to create jobs and manufacture medical supplies necessary to respond to infectious disease; avoid job loss caused by business closures related to social distancing by providing short-term working**

capital assistance to small businesses to enable retention of jobs held by low- and moderate-income persons; or to provide technical assistance, grants, loans, and other financial assistance to establish, stabilize, and expand microenterprises that provide medical, food delivery, cleaning, and other services to support home health and quarantine;

- **Public Services** such as job training to expand the pool of health care workers and technicians that are available to treat a disease within a community; provide testing, diagnosis or other services at a fixed or mobile location; increase the capacity and availability of targeted health services for infectious disease response within existing facilities; provide equipment, supplies and materials necessary to carry out a public service; delivery meals on wheels to quarantined individuals that need to maintain social distancing due to medical vulnerabilities;
- **Planning, Capacity Building and Technical Assistance** such as gathering data and developing non-project specific emergency infectious disease response plans; and
- **Any other activity allows under current CDBG regulations.**

Availability of the Citizen Participation Plan

Copies of the Citizen Participation Plan may be obtained

Grants Management
City of Port Arthur
444 4th Street
Port Arthur, Texas 77640

Upon request, the Citizen Participation Plan will be made available in an alternate format accessible to persons with disabilities or Limited English Proficiency.