

CITIZEN PARTICIPATION PLAN
CITY OF NEWTON HOUSING AND COMMUNITY DEVELOPMENT PROGRAM
REVISED MAY 4, 2020, Approved at P&D Public Hearing

The City of Newton annually receives Community Development Block Grant (CDBG), HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) funds from the U.S. Department of Housing and Community Development (HUD), which it administers through the Housing and Community Development Division of the Planning and Development Department. The primary purpose of these formula grant programs is to develop viable communities through the provision of decent housing, a suitable living environment and expanding economic opportunities for low- and moderate-income persons. As a recipient of these entitlement program funds, the City is required to produce the following documents:

- **Consolidated Plan** – a five-year plan that documents Newton’s housing and community development needs, outlines strategies to address those needs, and identifies proposed program accomplishments
- **Annual Action Plan** – an annual plan that describes specific CDBG-, HOME- and ESG-funded projects that will be undertaken over the course of the upcoming fiscal year
- **Consolidated Annual Performance and Evaluation Report (CAPER)** – an annual report that evaluates the use of CDBG, HOME and ESG funds following the close of the fiscal year
- **Analysis of Impediments to Fair Housing Choice** – a five-year plan that analyzes disparities in access to housing opportunities in the City and identifies priorities and goals to address these issues.

This Citizen Participation Plan has been developed to provide citizens and other interested parties with opportunities to participate in an advisory role in the planning, implementation and evaluation of the CDBG, HOME and ESG programs which primarily benefit Newton’s low- and moderate-income residents, and to review and comment on each of the documents listed above.

Citizen participation in CDBG, HOME and ESG program activities ranges from conducting needs assessments and strategic planning to providing input on project selection, development, implementation and evaluation. The Citizen Participation Plan outlines the City’s responsibility to solicit active citizen participation. The goals of the Citizen Participation Plan are to:

- Encourage citizen participation by all Newton residents, emphasizing the involvement of low- and moderate-income residents, persons with disabilities, minorities, non-English speaking persons and residents of assisted housing;
- Inform citizens of the Newton Consolidated Plan, CAPER, the Analysis of Impediments to Fair Housing Choice and the Annual Action Plan, including funds available from CDBG, HOME, ESG and other Continuum of Care Homeless Programs and eligible activities under these programs;
- Give all citizens an opportunity to identify and respond to priority needs;
- Give all citizens an opportunity to identify and respond to proposed projects, actions, policies and the use of funds; and
- Give all citizens an opportunity to review and comment on program performance.

1. Process for Citizen Participation

Opportunities for citizen participation in the planning and development of the Newton Consolidated Plan, Analysis of Impediments to Fair Housing Choice, the Annual Action Plan, and the CAPER will be provided through several levels of community involvement and outreach, including:

Individual Citizens

The participation of individual citizens is critical to the City of Newton's Housing and Community Development Program. Reasonable efforts will be employed to make all citizens aware of the Program-related meetings and events in their neighborhoods, as well as public hearings and citywide events that are related to the development of the Consolidated Plan, the Analysis of Impediments to Fair Housing Choice, the Annual Action Plan and the CAPER. It is the goal of the Program to create opportunities for participation for all interested citizens, including, but not limited to, low- and moderate-income residents, persons with disabilities, minorities, non-English speaking persons and residents of assisted housing.

Newton Housing Partnership

While the Newton Housing Partnership plays a critical role in the review and evaluation of CDBG- and HOME-funded projects, it is also instrumental in shaping housing policy for the city as a whole. The Partnership's mission is to foster, support and initiate land use, planning and fiscal policies and actions that ensure the development and preservation of housing to serve a socially and economically diverse community. In order to fulfill its mission, the Partnership acts in an advisory capacity to the Mayor, the City Council and its committees, the Planning and Development Board, the Zoning Board of Appeals, the Community Preservation Committee and city staff. Consisting of up to 9 members, the Newton Housing Partnership represents Newton residents, organizations, businesses and institutions which are based in Newton or which serve the housing needs of Newton residents.

Fair Housing Committee

The Fair Housing Committee works with the Mayor and City staff to promote, support and affirmatively further Newton's efforts to be a diverse and welcoming community with housing choices and opportunities free from housing discrimination. Acting in an advisory capacity to the Mayor, the City Council, and all applicable City departments, boards, and committees, this Committee aims to assure that policies and practices relating to fair housing are incorporated into City operations and community activities, as well as facilitate public education and outreach. The committee collaborates with City staff to spearhead the community participation process for the Analysis of Impediments to Fair Housing Choice, which will be completed once every five years. The Committee's bylaws allow the Mayor to appoint up to 11 members and residents, who represent Newton-based institutions, organizations, and businesses that serve the housing needs of Newton residents. The membership shall reflect the diversity of persons who are protected by civil rights laws, and shall include one or more persons with expertise in fair housing and civil rights laws.

Commission on Disability

The mission of the Commission on Disability (COD) is to foster equal access to community life and activities for people with disabilities. Through education and advocacy, the Commission works with the Mayor and City staff to raise awareness about the needs of people with disabilities and the importance of increased accessibility to programs, housing and facilities in municipal and commercial

buildings, and other public entities. The COD informs project priorities and provides recommendations for use of Community Development Block Grant (CDBG) funds in projects that remove architectural barriers and increase accessibility throughout the City of Newton. Commission members are a diverse representation of Newton's disability population and include residents, representatives of organizations, as well as businesses and institutions, which are based in Newton and serve the needs of Newton residents. The COD consists of not less than 5 but no more than 9 members appointed by the Mayor.

Organizations, Agencies and the Newton Housing Authority

In developing a plan for the best use of CDBG, HOME and ESG funds, the Newton Housing and Community Development Program relies heavily on the input of other agencies involved in the development and implementation of projects to assist low- and moderate-income citizens, including the Newton Housing Authority, the Balance of State (BoS) Continuum of Care (CoC), many area nonprofit organizations and state housing and community development agencies. These agencies and organizations are encouraged to participate in the development of the Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, and CAPER and are asked to review and comment on the proposed documents.

Planning and Development Board

The Planning and Development Board, acting as the Community Development Board, is the governing citizen body that considers the recommendations made by Division staff and City departments, other Newton agencies and organizations and citizens related to the CDBG, HOME and ESG Programs. Following a public hearing to allow for open discussion, the Planning and Development Board forwards their recommendations to the Mayor for final review and approval. When funding requests are made to the Planning and Development Board (while acting as the Community Development Board), representatives of the party requesting project funding and/or Division staff will present the proposal to the Board. The Public Hearing is held open during the 15- or 30-day comment period to ensure that public comments made during that timeframe are adequately considered by the Board before a final funding decision is made by the Mayor.

Public hearings on the proposed Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan and CAPER are conducted by the Board, as well as public hearings for proposed substantial amendments to the Consolidated Plan and/or Annual Action Plan. The Board is composed of residents of the City of Newton and is comprised of six full members (one of which is appointed by the state Secretary of Housing and Community Development), the Planning and Development Department Director (*ex officio*), and up to five alternate members. Unless their schedule is disrupted by a holiday or inclement weather, the Planning and Development Board meets on the first Monday of every month at Newton City Hall.

City Council

The City Council is the final citizen policy body that reviews and takes action on the Consolidated Plan and the Annual Action Plan. After receiving the plan from the Mayor, the City Council considers and then votes on approval of the submission of the proposed Plan and on acceptance of the CDBG, HOME and ESG grants from HUD. After the City Council votes, the Plan can be formally submitted to HUD.

2. Public Meetings and Public Hearings

Committees including, but not limited to, the Fair Housing Committee, COD and local meetings of the BoS CoC, conduct public meetings to solicit public input on the Housing and Community Development Program. All meetings are open to the public and participation is encouraged.

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals. As stated earlier, the entity responsible for conducting public hearings for the Newton Housing and Community Development Program is the Planning and Development Board. As required by law, the Planning and Development Board holds at least two public hearings each year to solicit input on housing and community needs, to review proposed uses of funds and to assess how funds were spent during the previous program year.

The two public hearings are:

- Proposed Annual Action Plan public hearing (generally held in March or April)
- Annual performance public hearing for the proposed CAPER (generally held in September)

During the development of the Consolidated Plan and the Analysis of Impediments to Fair Housing Choice additional public hearings will be held.

The public hearings for the Consolidated Plan will cover:

- Proposed Citizen Participation Plan public hearing, where staff present proposed revisions to the existing Citizen Participation Plan;
- Needs Assessment public hearing for the Consolidated Plan, where staff describe the housing and community development needs that were identified through data analysis and community participation;
- Proposed Consolidated Plan public hearing, where staff reviews the content of the draft Consolidated Plan, including the amount of financial assistance the City expects to receive, the proposed projects that will be undertaken and the activities that will benefit low- and moderate income persons.

The public hearing for the Analysis of Fair Housing to Fair Housing Choice will cover:

- Disparities in housing opportunity that were identified through data analysis and community participation.
- Content, goals and strategies of the draft Analysis of Impediments to Fair Housing Choice.

In addition to the public hearings listed above, the Planning and Development Board will conduct a public hearing whenever a substantial change is proposed to the use of CDBG, HOME or ESG Program funds from that which was listed in the Consolidated Plan or Annual Action Plan.

A substantial Amendment is defined, in accordance with 24 CFR 91.505(a), as:

- A substantial change in allocation priorities (any change greater than 25 percent in an individual project's total budget) or a substantial change in the method of distribution of funds;
- A new activity (including those funded exclusively with program income) not previously covered by the Newton Consolidated Plan or Annual Action Plan; or a

- Substantial change in the purpose, scope, location or beneficiaries of an activity.

Public hearings are generally held at Newton City Hall and in locations that meets ADA accessibility standards. Reasonable accommodations will be made for people with disabilities upon request. Language interpreters will also be provided for non-English speaking participants upon advance notice.

Citizens and other interested parties may present oral comments at the time of the hearing and/or submit written comments for 30 days after the public hearing for the proposed Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing Choice and any substantial or material changes and for 15 days after public hearings for the proposed Citizen Participation Plan and the CAPER. The City will consider the views of all citizens, organizations and agencies, and other interested groups in preparing the final Citizen Participation Plan, Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan and CAPER.

Following the public comment period, staff must submit a formal notification of the substantial amendment to the Mayor for approval. Once the Mayor certifies the notification, it is submitted to HUD.

3. Modified Citizen Participation Process for Substantial Amendments Related to Emergency or Disaster Response

As specified above, the City may amend the approved Annual Action Plan and Consolidated Plan, in accordance to 24 CFR 91.505. Substantial amendments to these plans will be subject to the citizen participation process, and the City must provide citizens with 30 days to comment on the substantial amendments.

- **Comment Period:** In the event there is an emergency or disaster, in which a state of emergency is declared either at the federal, state, or local level, the City will allowed to engage in a modified citizen participation process in which a public hearing will be conducted with a shortened comment period of 5 days. The shortened comment period will allow the City to respond to an emergency or disaster in a timely manner
- **Virtual Public Hearing and Public Meetings:** In the event there is an emergency or disaster, in which a state of emergency is declared either at the federal, state, or local level, the City will conduct public meetings and public hearings virtually to ensure public safety. Virtual public hearings and public meetings will allow for questions in real time, with answers coming directly from the elected representatives to all “attendees”, via a virtual hearing method or platform that provides for accessibility for persons with disabilities and LEP to participate.

4. Notice of Meetings

All public meetings and public hearings are open to the public. Participation is encouraged. The following paragraphs describe the efforts that will be made to notify the public of public meetings and public hearings.

Public Meetings

Meeting notices are mailed or e-mailed to appointed members at least seven calendar days prior to meeting date. All meeting notices are posted on the Electronic Posting Board and Public Notice Board on the first floor of Newton City Hall within 48 hours of the scheduled meeting, and are listed in the Planning and Development Department's weekly "Friday Report," which is e-mailed or mailed to City officials, agency/organization representatives and residents.

Public Hearings of the Planning and Development Board

- Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan and CAPER

Public notices for public hearings for the proposed Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, and CAPER will be advertised in the *Newton TAB* at least ten calendar days prior to each hearing. Meeting notices for the Consolidated Plan, Annual Action Plan, and CAPER will be e-mailed or mailed to Board members and posted on the Electronic Posting Board, the City webpage relevant to the subject matter (i.e. <http://www.newtonma.gov/fairhousing>), and the Public Notice Board, and broadcast on the television monitor, both located on the first floor of City Hall. Notice will also be provided on the City's website in the City Calendar and listed in the Planning and Development Department's weekly "Friday Report" which is e-mailed or mailed to City officials, agency/organization representatives and residents.

- Amendments to the Proposed Use of Funds

Notices for public hearings for amendments to the use of funds proposed in the Consolidated Plan and/or Annual Action Plan will be e-mailed or mailed to Board members. Notice will also be posted on the Electronic Posting Board, the Public Notice Board and broadcast on the television monitor on the first floor of City Hall. Notice will also be provided on the City's website in the City Calendar and listed in the Planning and Development Department's weekly "Friday Report" which is e-mailed or mailed to City officials, agency/organization representatives and residents.

5. Availability of the proposed Citizen Participation Plan, Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, and CAPER

Notice of the availability of the proposed Citizen Participation Plan, Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, and CAPER will be published in the *Newton TAB* at least ten calendar days prior to the public hearing. The notice will summarize the content and purpose of these proposed documents and will include a list of locations where copies of the documents may be examined. At a minimum, copies of the proposed Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, and CAPER will be available in the Newton Housing and Community Development Office and on the Housing and Community Development Division's section of the Planning and Development Department's web page, located at <http://www.newtonma.gov/cdbg> and on the Planning and Development Department's Special Reports and Studies web page:

http://www.newtonma.gov/gov/planning/resources/special_reports_n_studies.asp.

6. Access to Information

In addition to opportunities to make oral comments at public meetings and/or public hearings before the Planning and Development Board, any citizen, organization, agency or other interested party may submit written requests for information and submit written comments regarding the proposed Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, and CAPER, and/or amendments to each, including the proposed use of funds and the benefit to low- and moderate-income residents. Copies of documents will be made available in other languages and/or in other formats (i.e. larger print) upon request. Documents from prior years will also be available upon request for at least the preceding five years.

Additionally, plans to minimize displacement and assist those displaced as a result of the activities in the Consolidated Plan and the Annual Action Plan are attached to this document.

7. Comments

Citizens, organizations, agencies and other interested parties are encouraged to submit their comments on the proposed Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan and CAPER. All comment periods will begin the day of the public hearing held by the Planning and Development Board. Minimum comment periods are listed below:

Type of Public Hearing	Comment Period
Consolidated Plan	30 calendar days
Annual Action Plan	30 calendar days
CAPER	15 calendar days
Analysis of Impediments to Fair Housing Choice	30 calendar days
Substantial Amendments to Consolidated Plans and Annual Action Plans	30 calendar days

The City of Newton will consider all comments in preparing its final Citizen Participation Plan, Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan and CAPER for submission to HUD, and will include a summary of all comments received and the actions taken to address each comment.

Comments may be submitted via mail, e-mail or fax to:

Housing and Community Development Division
Newton Planning and Development Department
1000 Commonwealth Avenue
Newton, MA 02459
Fax: 617-796-1142
Phone: 617.796.1120, TDD/TTY 617-796-1089

8. Timely Response

The City of Newton will respond in writing within 15 calendar days to any written comments, questions or complaints received regarding the Consolidated Plan, Analysis of Impediments to Fair Housing Choice, Annual Action Plan, CAPER or the Newton Housing and Community Development Program in general.

9. Technical Assistance

Upon request, Newton Housing and Community Development Division staff will provide technical assistance to groups representing low- and moderate-income persons to develop funding requests for CDBG-, HOME- or ESG-eligible activities.

10. Use of the Citizen Participation Plan

The City of Newton will be required to adhere to this Citizen Participation Plan, once adopted, as the official mechanism for obtaining citizen input into the Consolidated Plan process and during the administration of the programs covered by this Plan.

11. Jurisdiction Responsibility

The requirements for citizen participation shall not restrict the responsibility or authority of the jurisdiction for the development and execution of its Consolidated Plan. The sole and final responsibility and authority to make determinations regarding the City's CDBG, HOME and ESG funding rests exclusively with the Mayor.

12. HUD Waivers Related to CARES Act

On March 27, 2020, President Trump signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), Public Law 116-136. As authorized by the CARES Act, the City will receive FY20 Community Development Block Grant Coronavirus (CDBG-CV) funds and Emergency Solutions Grant Coronavirus (ESG-CV) funds to prevent, prepare for, and respond to the coronavirus (COVID-19). In addition, the CARES Act adds additional flexibility for the use of FY20 CDBG-CV funds and as it relates to the annual FY21 (FFY20) CDBG funds during these unprecedented times.

Waivers provided by HUD related to the Citizen Participation Plan and the Consolidated Plan are detailed below. Newton submitted a formal request to HUD on April 9, 2020 for the use of these two waivers:

a. Citizen Participation Public Comment Period for Consolidated Plan and Annual Action Plan Amendments

A HUD CPD grantee may amend an approved consolidated and annual action plan in accordance with 24 CFR 91.505. Substantial amendments to these plans are subject to the citizen participation process in the grantee's citizen participation plan (CPP). The citizen participation plan must provide citizens with 30 days to comment on substantial amendments.

Given the need to expedite actions to respond to COVID-19, HUD has waived this requirement in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirements to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME or ESG funds.

Waiver: This 30-day minimum for the required public comment period is waived for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment.

Timeframe: This waiver is available from April 13, 2020 through the end of the recipient's 2020 program year (June 30, 2021).

b. Citizen Participation Reasonable Notice and Opportunity to Comment

For substantial amendments to the consolidated and annual action plan, HUD's regulations require the recipient to follow its citizen participation plan (CPP) to provide citizens with reasonable notice and opportunity to comment, and must also state how reasonable notice and opportunity to comment will be given.

Given governmental orders to limit public gatherings, HUD has provided waivers to allow grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.

Waiver: This waiver provides that grantees may amend citizen participation plans to establish expedited procedures to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the consolidated plan and annual action plan amendment and amended citizen participation plans.

In-person public hearings are not required. Grantees may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

Timeframe: This waiver is in effect from April 13, 2020 through the end of the recipient's 2020 program year (June 30, 2021).

Given governmental orders to limit public gatherings and the need for expedited decision making related to the use of CDBG-CV funds, the following paragraph describes the efforts to notify the public of the public meetings and public hearings during this time:

- Notices for public hearings for amendments to the use of funds proposed in the Consolidated Plan and/or Annual Action Plan will be e-mailed to Board members.
- Notice will be posted on the Electronic Posting Board.
- Notice will be provided on the City's website in the City Calendar
- Notice will be listed in the Planning and Development Department's weekly "Friday Report" which is e-mailed to City officials, agency/organization representatives and residents.

During this time, public meetings and public hearings shall be conducted virtually to ensure public safety. Public hearings will allow for questions in real time, with answers coming directly from the elected representatives to all "attendees", via a virtual hearing method or platform that provides for accessibility for persons with disabilities and LEP to participate.

Copies of the proposed Consolidated Plan, Analysis of Impediments to Fair Housing, CAPER, Annual Action Plan will only be made available on the City's website, www.newton.com/CDBG.

ANTI-DISPLACEMENT AND RELOCATION PLAN

(attached to the Citizen Participation Plan)

Permanent Relocation

It is the policy of the City of Newton Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) programs and the WestMetro HOME Consortium to take all reasonable steps to minimize displacement as a result of CDBG- and HOME-assisted projects, including:

- Considering whether displacement will occur during feasibility determinations
- Identifying potential relocation workload and resources early
- Assuring, whenever possible, that residential occupants of buildings rehabilitated are offered an opportunity to return
- Planning rehabilitation projects to include “staging” where this would eliminate temporary displacement
- Following notification procedures carefully so that families do not leave because they are not informed about planned projects or their rights

When a project does require relocation, in order to ensure the timely issuance of information notices to displaced households, etc., staff of the City of Newton Housing and Community Development Division or of the WestMetro HOME Consortium member communities will ensure that all notices are sent in compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA).

Temporary Relocation

Temporary relocation often occurs as the result of lead abatement and other rehabilitation activities in renter- and owner-occupied units. Although the City of Newton Housing and Community Development Division is not required to, in most cases it pays for the temporary relocation of displaced renters and/or homeowners whose residences are being rehabilitated.