

**Citizen Participation Plan
for the Housing and Community Development
Consolidated Plan
of the City of Los Angeles**

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City of Los Angeles Consolidated Planning Citizen Participation Plan

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1 INTRODUCTION

The federal government has provided grants to communities to address the housing and community needs of low-income Americans for many decades, and such funding is critical for Los Angeles, which has long had a large population of persons living with poverty. The Citizen Participation Plan describes how the City complies with federal regulations in providing opportunities for the public to have a say in when, why, how and where the federal funding will support improving the lives of our most disadvantaged residents and the livability of our city as a whole. While City leadership makes the final decision of how funds will be used, the input of residents, business owners, groups representing low-income persons and other stakeholders is essential to the process.

1.1 Overview

The City of Los Angeles is committed to providing opportunities for its citizens to participate in the development of plans and to comment on reports that outline activities funded by the U.S. Department of Housing and Urban Development (HUD), Office of Community Planning and Development (CPD). These plans and reports include the Consolidated Plan (Con Plan), the Annual Action Plan (AAP), substantial amendments to the Con Plan or Annual Action Plan, the Consolidated Annual Performance and Evaluation Report (CAPER), the Assessment of Fair Housing (AFH) if applicable, and the Citizen Participation (CP) Plan.

The Citizen Participation Plan is a requirement under 24 Code of Federal Regulations (CFR) Parts 91.100 and 91.105. This revised CP Plan reflects the latest federal legislation and City procedures. The City will post this CP Plan in draft form on its website and provide at least five (5) days to solicit comments from the public. The usual time period for public comment is 30 days; however, recent federal legislation allows for a shorter time frame as described in 24 CFR §5.110 and 42 USC 3535(q). The final CP Plan will then be submitted to the Mayor and City Council for approval and submitted to HUD.

All requirements in the CP Plan are subject to change in response to federal guidance or local guidelines. In the event that HUD issues guidance or waivers that affect citizen participation, City staff will attempt to provide as much public notice as possible while still complying with the guidance or waivers received.

1.2 City Department Administrator

On July 1, 2013, the City's housing and community investment programs were officially integrated from the former Community Development Department and Los Angeles Housing Department into the Los Angeles Housing + Community Investment Department (HCIDLA). HCIDLA is responsible for administering the HUD CPD funds received by the City, the Con Plan, the Annual Action Plan; amendments to the Plans, the CAPER, the AFH (if applicable); and revisions to the AFH (if applicable), and the CP Plan. HCIDLA is committed to promoting a livable and prosperous Los Angeles through: community engagement, the development and preservation of decent, safe, and affordable housing, neighborhood investment, and social services. All questions and comments relating to the Con Plan, Annual Action Plan, Substantial

Amendments, CAPER and the CP Plan should be addressed to the Consolidated Planning Division of HCIDLA, 1200 West 7th Street, 9th Floor, Los Angeles CA 90017 or via email to hcidla.planning@lacity.org. All questions and comments relating to the AFH (if applicable) should be addressed to the Public Policy and Research Unit at the same address, or via email to hcidla.afhpolicy@lacity.org.

2 THE CITY ENCOURAGES PUBLIC PARTICIPATION

The City welcomes and encourages public participation in the development of the relevant plans and reports. Citizen participation is essential at all stages of the planning process, which are: identifying needs, setting priorities based on needs, recommending activities to meet high-priority needs, and evaluating the effectiveness of the programs and activities. Opportunities for the community to participate in these processes are described throughout this document.

Emphasis is placed on the involvement of persons with low and moderate income—especially those living in the low- to moderate-income neighborhoods where funds are proposed to be used. The City will take appropriate actions to encourage participation of the various racial and ethnic groups living in Los Angeles, persons of limited English proficiency, and people with disabilities. The City will coordinate with organizations that serve all such persons to solicit participation of the city residents they work with. The City will also coordinate with businesses that may employ or serve lower income City residents.

In addition, the City, in consultation with the Housing Authority of the City of Los Angeles (HACLA), will provide the residents in public and assisted housing developments the opportunity to participate in the process of developing and implementing the plans, reports and activities. The City will inform HACLA when draft and final copies of the Con Plan, the Annual Action Plan and CAPER are available on the HCIDLA website for review by its residents and other interested parties. The City and HACLA will produce a joint AFH (if applicable).

The City also encourages local and regional organizations, including businesses, developers, community- and faith-based organizations, the local Continuum of Care, the 99 Neighborhood Councils, academia, other government agencies, and other relevant stakeholder groups to participate in the process of developing and implementing the plans, reports and activities. The City may hold focus groups with such stakeholders to learn more about their needs, priorities and related plans to address them. Consulting and collaborating with public and private entities, especially those that frequently interact with low-income residents, results in better alignment with needs and better coordination with other local and regional plans, programs, and resources to achieve greater impact.

The City strives to conduct public meetings at convenient times and locations that are close to lower income neighborhoods, and which are accessible to persons with disabilities. The City seeks new techniques to maximize citizen involvement with more sophisticated technology. Tools recently used to engage the public have included online needs assessment surveys and social media including Facebook, Instagram and Twitter. The City will utilize quantitative

methods to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance.

2.1 Non-English Language Needs

Section 601 of Title VI of the Civil Rights Act of 1964 provides that no person shall “on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity receiving Federal financial assistance....” To clarify this section further, on August 11, 2000, President Clinton issued Executive Order (EO) 13166, "Improving Access to Services by Persons with Limited English Proficiency." EO 13166 required federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to Limited English Proficiency (LEP), cannot fully and equally participate in or benefit from those programs and activities. The LEP obligations of federally funded programs apply to every person who meets the program requirements, regardless of the person's citizenship status. HCIDLA assessed the language needs, identified the need for translation of notices and other vital documents, and developed a Language Access Plan (LAP) to meet these requirements. It identifies the language groups of LEP persons in the city and outlines a process for HCIDLA and its subrecipients to comply with federal regulations.

To ensure meaningful access to participation by non-English-speaking residents of the community, public meeting notices, public meeting presentations and public surveys posted to the HCIDLA website are available in Spanish. Public meetings organized by HCIDLA have live interpretation available in Spanish, and if practicable, Spanish-only meetings are held. Translation or interpretation in other languages can be made available upon request.

3 PLANS & REPORTS REQUIRING PUBLIC PARTICIPATION

The City will provide the public with the opportunity to participate in the development of and comment on the following plans and reports:

3.1 Five Year Consolidated Plan (Con Plan)

The Consolidated Plan (Con Plan) is a document submitted to the U.S. Department of Housing and Urban Development (HUD) that serves as the comprehensive housing affordability strategy and community development plan of local governments in addition to serving as an application for funding under the CPD entitlement grant programs. The Con Plan for housing and community development was established through legislation passed by the U.S. Congress in 1990 and later provided the “Blueprint for Reinvention of HUD in 1995.” Under the Cranston-Gonzalez National Affordable Housing Act, jurisdictions that receive federal entitlement funds for housing and community development activities are required to prepare a comprehensive three- to five-year plan for using those funds. The regulations at 24 CFR Part 91 contain the consolidated planning requirements. The Con Plan can serve as the framework for a communitywide dialogue to make data-driven, place-based investment decisions that align and focus funding from the four grant programs in an effective manner.

The Con Plan describes the City's housing and community development priorities and multi-year goals based on an assessment of needs, an analysis of housing and economic market conditions and expected resources. The City must describe the housing needs of the low- and moderate-income residents, outline strategies to meet these needs, and describe the five-year goals that are based upon local needs and strategies. The five-year goals serve as the targets against which HUD will evaluate the City's programs and performance.

3.1.1 Block Grants Funded by HUD CPD

On a formula basis, HUD provides annual allocations of grant funds directly to the City of Los Angeles to carry out a wide range of activities including: neighborhood revitalization, affordable housing, economic development, community facilities, homeless housing and services, and housing opportunities for persons with HIV/AIDS. Grants are allocated to the City from the following four programs:

- Community Development Block Grant (CDBG)
- HOME Investment Partnerships Program (HOME)
- Emergency Solutions Grant (ESG)
- Housing Opportunities for Persons with AIDS (HOPWA)

The City then allocates funds to various projects and programs, including services and affordable housing that benefits low-income residents. The Mayor and City Council approve the specific projects funded each year and the funding amount, which is found in the Annual Action Plan.

Descriptions of each grant follow:

Community Development Block Grant (CDBG) was authorized by Congress under the Housing and Community Development Act of 1974, as amended, and the primary purpose of CDBG is the development of viable urban communities, by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income. Subject to HUD regulations regarding CDBG eligible activities, CDBG funds may be used for activities that include but are not limited to:

- o Acquisition of real property for a public purpose;
- o Rehabilitation of residential and nonresidential structures;
- o Construction, reconstruction, rehabilitation or installation of public facilities and improvements, such community centers, libraries, street lighting, sidewalks;
- o Public (social) services, limited to a 15% cap;
- o Clearance and remediation activities;
- o Code enforcement (inspection of building code violations and enforcement of codes, but not correcting violations);
- o Assistance to for-profit businesses to carry out economic development activities that create/retain jobs for low-income persons;

- o Loan guarantee assistance to eligible activities (aka Section 108); and
- o Planning and administrative activities limited to a 20% cap.

Generally, the following types of activities are ineligible (with a few exceptions):

- o Acquisition, construction, or reconstruction of buildings for the general conduct of government;
- o Operations and maintenance/repair of public works/public facilities (except if providing services to low-income people);
- o Political activities;
- o Income payments (cash or direct assistance to low-income persons); and
- o Construction of new housing.

Funded programs must meet one of three National Objectives and carry out an eligible activity. If an activity does not meet both a National Objective and an eligible activity, CDBG funds may not be used, even though that activity may be worthwhile and beneficial to the community. The primary National Objective is Low-Moderate Income persons, and not less than 70% of the CDBG funds will be used for activities that benefit low- and moderate-income persons.

HOME Investment Partnerships Program (HOME) was authorized by Congress under the National Affordable Housing Act of 1990, as amended (Cranston-Gonzales Act) to fund the provision and preservation of affordable housing for low-income residents. HCIDLA uses HOME funds to build, buy, and/or rehabilitate affordable rental or ownership housing for low-income households, often in partnership with local nonprofit organizations. Programs funded include:

- o Affordable Rental Housing—Development, site acquisition or improvement, demolition, relocation and construction of multi-family rental units with maximum rent amounts set by HUD; and
- o Homebuyer Assistance Programs—Down payment, closing costs and acquisition assistance for first-time, low-income homebuyers.

Emergency Solutions Grants (ESG) was authorized by the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), which amended the McKinney-Vento Homeless Assistance Act. The updated ESG program emphasizes helping people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness by expanding the homelessness prevention component and adding a new rapid re-housing assistance component. ESG provides funding to:

- o Engage homeless individuals and families living on the street to access services and emergency or other housing;
- o Improve the number and quality of emergency shelters for homeless individuals and families;

- o Help operate these shelters;
- o Provide essential services to shelter residents;
- o Rapidly re-house homeless individuals and families;
- o Prevent families and individuals from becoming homeless;
- o Streamline delivery of services through advanced information systems; and
- o Administer the above activities.

Housing Opportunities for Persons with AIDS/HIV (HOPWA) was authorized by the AIDS Housing Opportunity Act of 1992 and remains the only federal housing program solely dedicated to providing rental housing assistance for persons living with HIV/AIDS and their families. HOPWA provides resources and incentives to devise long-term comprehensive strategies for meeting the housing needs of low-income persons living with HIV/AIDS and establish or maintain stable housing for these special-needs households to reduce their risks of homelessness. Stable housing supports improved access to healthcare and HIV treatment.

3.1.2 Program Year

The City's program year for these HUD CPD grants begins July 1 and ends June 30.

3.1.3 Pre-Plan Public Information

Before the City adopts a Con Plan, the City will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the City expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income.

3.1.4 How to Minimize Displacement

To the extent possible, the City will not undertake any acquisitions or rehabilitations that may result in dwelling conversions, or demolitions that will cause the displacement of persons from their homes and/or businesses. However, if displacement occurs, the City will provide for permanent relocation of persons resulting from public and private acquisition intended for public use and voluntary rehabilitation of private property with funds from CDBG, HOME, ESG, HOPWA, or any other federally funded assistance program. This Residential Anti-displacement and Relocation Assistance Plan has been prepared by the City in accordance with the Housing and Community Development Act of 1974, as amended; and HUD regulations at 24 CFR 42.325 (the Act).

Consistent with the goals and objectives of activities assisted under the Act, the City will take the following steps to minimize the direct and indirect displacement of persons from their homes:

- When considering the allocation of federal grant funds, the City will discourage projects that are likely to result in a large numbers of displacements, unless the development is in support of a City priority;
- Adopt policies that provide reasonable protections for tenants faced with demolition or conversion of use of dwelling units other than low-income housing;
- Review program applicants' performance in their past projects and selection of a program grantee which demonstrated effective alliances and/or successfully undertaken measures to minimize impact of displacement as among other criteria.

3.1.4.1 Relocation Assistance to Displaced Persons

The City will offer relocation assistance, in accordance with the requirements of 24 CFR 42.350 (aka Section 104[d]), for low-income tenants who, in connection with an activity assisted by the federal grant programs, move permanently or move personal property from real property as a direct result of the demolition of any dwelling unit or the conversion of a low-income dwelling unit. The City will ensure that these tenants have the opportunity to choose whether to receive assistance under Section 104(d), the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), as amended, or the City's Rent Stabilization Ordinance (RSO). Tenants that cannot prove their legal presence in the United States will be paid RSO benefits using non-federal funding sources.

A displaced person (defined under the URA as a legal resident of the United States) who is not a low-income tenant will be offered relocation assistance in accordance with the URA and implementing regulations at 49 CFR Part 24. The City will ensure that, at a minimum, the allowable relocation benefits under either 49 CFR Part 24 or 24 CFR 42.350 is provided to displaced persons.

3.1.4.2 One-for-One Replacement of Low-income Dwelling Units

The City will replace all occupied and vacant, occupiable low-income dwelling units that are demolished or converted to a use other than as low-income housing in connection with a project assisted with federal grant funds, in accordance with 24 CFR 42.375. Part 42.375 has been waived for demolitions funded through the Neighborhood Stabilization Program.¹

Before entering into a contract committing the City to provide federal funds for a project that will directly result in demolition or conversion of lower-income dwelling units, the City will make public, in its Call for Projects or Notice of Funding Availability, and submit to HUD the following information in writing:

- A description of the proposed assisted project;

¹ The Neighborhood Stabilization Program provides grants to every state, certain local communities, and other organizations to purchase foreclosed or abandoned homes and to rehabilitate, resell, or redevelop these homes in order to stabilize neighborhoods and stem the decline of house values of neighboring homes. www.hud.gov/nsp

- The address, number of low-income dwelling units by size (number of bedrooms), and location on a map of low-income dwelling units that will be demolished or converted to a use other than as low-income dwelling units as a result of an assisted project;
- A time schedule for the commencement and completion of the demolition or conversion;
- To the extent known, the address, number of low-income dwelling units by size (number of bedrooms), and location on a map of the replacement low-income housing that has been or will be provided;
- The source of funding and a time schedule for the provision of the replacement dwelling units;
- The basis for concluding that each replacement dwelling unit will remain a low-income dwelling unit for at least 10 years from the date of initial occupancy; and
- Information demonstrating that any proposed replacement of low-income dwelling units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the HUD-approved Con Plan and 24 CFR 42.375(b).

To the extent that the specific location and other data for the replacement dwelling units are not available at the time of the general submission, the City will identify the general location of such dwelling units on a map and complete the disclosure and submission requirements as soon as the specific data is available.

3.1.4.3 Replacement Not Required Based on Unit Availability

Under 24 CFR 42.375(d), the City may submit a request to HUD for a determination that the one-for-one replacement requirement does not apply based on objective data that there is an adequate supply of vacant low-income dwelling units in standard condition available on a nondiscriminatory basis within the area.

3.1.4.4 Relocation Contacts

HCIDLA is responsible for tracking the replacement of low-income dwelling units and ensuring that they are provided within the required period. HCIDLA is also responsible for overseeing the provision of relocation payments and other relocation assistance to any low-income person displaced by the demolition of any dwelling unit or the conversion of low-income dwelling units to another use financed with federal grant funds. To contact HCIDLA's Relocation Unit, please call (213) 808-8627. Due to technological changes, if TTY is needed to contact us, please use Telecommunication Relay Services (TRS) such as Text-to-Voice TTY-based TRS, Speech-to-Speech Relay Service, Shared Non-English Language Relay Services, Captioned Telephone Service; IP Captioned Telephone Service, Internet Protocol Relay Service, or Video Relay Service.

Appeals regarding determination of housing relocation benefits should be directed to HCIDLA's Relocation Unit at (213) 808-8627.

The Economic and Workforce Development Department (EWDD) is responsible for minimizing displacement and complying with relocation requirements for business, industrial and commercial concerns resulting from economic development activities. To contact EWDD's business financing staff about relocation, please call (213) 744-7300.

Appeals regarding determination of business relocation benefits should be directed to EWDD's business financing staff at (213) 744-7300.

3.1.5 How to Minimize Displacement of Persons with Disabilities

It is HCIDLA's goal to create equal housing opportunities for all persons by establishing and implementing policies that prohibit discrimination in housing on the basis of race, color, religion, sex (gender), national origin, disability, marital status, sexual orientation, ancestry, familial status, source of income, medical condition, or age. To accomplish this goal, department policies and procedures regarding accessibility must comply with federal laws administered by HUD's Office of Fair Housing and Equal Opportunity, as well as with state laws.

The Office of Fair Housing and Equal Opportunity implements and enforces the Fair Housing Act (FHA) and other civil rights laws, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act (ADA) of 1990, and the Uniform Federal Accessibility Standards (UFAS). HCIDLA implements the policies to ensure that affordable housing projects funded through the City comply with the aforementioned accessibility laws and regulations.

3.1.5.1 Construction

All new construction and substantial rehabilitation housing projects must have 11% of the units in each project accessible to people with mobility impairments and four percent (4%) of the units accessible to people with hearing and vision impairments. All common areas shall meet the requirements of Section 504 and the UFAS. All newly constructed and substantially rehabilitated public facilities shall meet these requirements.

3.1.5.2 Property Management

It is the policy of the City of Los Angeles that all developments built or rehabilitated using funding from HCIDLA be operated in accordance with all applicable disability and fair housing laws. Specific applicable laws may depend, in part, on which funding sources are used in a particular project, but will include the federal FHA, the ADA, as well as California's Fair Employment and Housing Act, and the Unruh Civil Rights Act. Not all of the laws apply to all properties. When more than one law applies, developers are to adhere to the law that provides the greatest protection against discrimination.

The City requires that each developer contracting with the City create a management plan, which must be approved by HCIDLA's Occupancy Monitoring Unit. This plan must reflect a commitment to affirmatively further the fair housing rights of individuals with disabilities. Developers must affirmatively market accessible units to individuals with disabilities who need such units due to a disability. Applicants for any and all units shall be considered for occupancy without prejudice in regard to race, color, religion, sex, gender, gender identity and expression, family status, national origin, marital status, ancestry, sexual orientation, disability, source of income, genetic

information, or arbitrary characteristics. Developers must provide reasonable accommodations in policies, practices and procedures and allow reasonable modifications to existing facilities to ensure that individuals with disabilities, and households including individuals with disabilities, are not discriminated against or excluded from housing or housing-related services based on disability. Service dogs and other assistance animals shall be permitted in accordance with applicable laws.

Developers will provide effective communication when necessary so as not to exclude applicants and residents from housing or other related services for which they are otherwise qualified because of disability or limited English proficiency. Developers may also be required to complete self-evaluations of their projects and policies to identify and remove any impediments to participation by qualified people with disabilities, and may be under an obligation to appoint a 504/ADA coordinator who can accept complaints from individuals with disabilities.

3.1.6 Additional Consultations Needed

HCIDLA will consult with 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 five-year consolidated plan.

3.2 Annual Action Plan (AAP)

The Annual Action Plan (AAP) is the one-year portion of the Con Plan that serves as the City's annual application to HUD for CPD grant funds. The AAP sets forth goals, actions planned and projects for the year in support of the Con Plan. It includes the amount of assistance the City expects to receive including grant funds, program income received from repayment of loans for previous projects, and other federal, state or local resources, and discusses the leveraging of these resources. The AAP describes all proposed uses of CDBG, HOME, ESG, and HOPWA funds, including the specific projects to be implemented during the program year, as well as other actions to be undertaken in public policy, institutional structure, public housing, homelessness reduction, lead-based paint hazard reduction, coordination efforts, and anti-poverty strategies.

The public has several opportunities to participate in the development of the AAP (and/or Five Year Con Plan), as described in subsequent sections of this CP Plan, both before a proposed plan is prepared and after a proposed plan summary is prepared. The notice for public meetings held before the proposed plan is usually available in late summer/fall, and the notice for public meetings held to review the proposed plan summary is usually available in the winter. A public hearing held by a City Council committee regarding the proposed plan summary is usually in late winter/spring. The City will consider comments received both before the proposed plan and in review of the proposed plan summary, and if deemed appropriate, modify the plan. Public hearings held by the full City Council to review the final plan summary are usually in the spring.

3.3 Amendments to Consolidated Plan or Annual Action Plan

HUD requires the City to amend its approved plan whenever it makes one of the following decisions:

1. To change allocation priorities or change the method of distribution of funds;
2. To carry out an activity not previously described in the action plan; or
3. To change the purpose, scope, location, or beneficiaries of an activity.

Amendments may be substantial or minor. Amendments may be initiated by the Mayor's Office, City Council, HCIDLA as the grants administrator, other project-implementing departments, or the City Administrative Officer, who oversees all City funding for staff costs. Amendments may be proposed to improve program operations, ensure funds are expended in a timely manner, and utilize funds to address community needs. Amendments related to changes in funding amounts and contracts are subject to City Council and/or Mayor approval.

3.3.1 Substantial Amendments

Substantial Amendments are those that are subject to the public participation process described below. Proposed changes will not be implemented until after the public comment period ends and comments have been reviewed. The following constitute the criteria for Substantial Amendments:

1. *A change in priority needs contained in the Con Plan's Strategic Plan.* The addition or deletion of one or more of the priority needs in the Con Plan's Strategic Plan (SP-25 Priority Needs Summary) will require a Substantial Amendment. This is because the first step in developing the Con Plan is to identify the City's priority needs that will be addressed by the goals outlined in the Strategic Plan. These needs establish the rationale for the allocation of funds in the Con Plan. Therefore, changes in priority needs could affect the allocation of funds.
2. *A change in the goals of the Annual Action Plan.* The addition, deletion or substantial revision of one or more of the goals stated in the AAP will require a Substantial Amendment.
3. *Introduction of a project (budget line item) not listed in the current Annual Action Plan.* The addition of projects not previously funded in the AAP, including through the reprogramming of funds, will require a Substantial Amendment. HCIDLA will review and determine as soon as possible if a project is eligible for use of funds and, if CDBG, meets a National Objective.
4. *Deletion of a project (budget line item) listed in the current Annual Action Plan.* The deletion of projects previously funded in the AAP, including through the reprogramming of funds, will require a Substantial Amendment.
5. *An increase or decrease in a project's funding (budget line item) of 30% or more.* Increases or decreases to funding may occur over time to a project in a program year, including through the reprogramming of funds. When the cumulative change meets or exceeds the 30% threshold, the change will be considered a Substantial Amendment. For example, if the first time homebuyer program was allocated \$1,000,000 in an Annual Action Plan and, during the program year, \$300,000 was added to the program, then a Substantial Amendment would be needed prior to the increase to the program. The same would be true of a decrease in funds of 30% or more. In addition, if the \$300,000 added to the first-time homebuyer program example results in a decrease from a program such as the Affordable Housing Managed Pipeline that was allocated \$20 million, which is a decrease of only 1.5%, nevertheless the

Substantial Amendment will describe the reasons for and effects of the changes to both projects.

6. *Changes to the purpose, scope, or location of a project.* A substantial change to the purpose, scope or location of a project will require a Substantial Amendment.
7. *Section 108 loan:* A Section 108 loan guarantee application for economic development assistance that is ready to be submitted to HUD for review will require a Substantial Amendment.

3.3.2 Citizen Participation Process for Substantial Amendments

The HCIDLA will prepare a notice describing the proposed change and post the notice on the HCIDLA website. An electronic notification system is used to notify citizens that have previously signed up for notifications about the document posting. The documents in the HCIDLA website are available to anyone with internet access. The public is given 30 days to submit comments regarding the proposed Substantial Amendment, by email, fax, telephone or regular mail, before proposed changes are implemented. The City will consider comments received and if deemed appropriate, modify the proposed amendment. All comments will be summarized when HCIDLA submits its AAP amendment to HUD.

3.3.3 Disaster/Emergency Expedited Substantial Amendments

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. The AAP includes a Disaster Response and Recovery Plan describing how the City may reallocate CPD funding in the event of a declared disaster to support immediate disaster response to and long-term recovery of housing, community, economic and infrastructure needs. For past disasters, the federal government has granted waivers or suspensions of certain requirements, including a reduction of the public comment period for substantial amendments to an action plan. These expedited substantial amendments may include funding new activities, reprogramming of funds from existing activities, and/or canceling activities to meet needs resulting from a declared disaster or emergency.

3.3.4 Substantial Amendments for CARES Act Funding

The U.S. President declared a national disaster in March 2020 regarding the COVID-19 pandemic, and a massive economic downturn ensued in which a large number of people lost their jobs and income. On March 27, 2020, the federal Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law and included supplemental funding for the CDBG, ESG and HOPWA programs. The substantial amendments that address the additional CARES Act funding will have a different citizen participation process for the CARES Act funding only. Reasonable notice and opportunity to comment on the CARES Act funding will be given by posting the notice to the HCIDLA website, sending an email notice to subscribers and holding a virtual public hearing.

The federal government offered waivers under the CARES Act in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of the supplemental CARES Act grant funds. The City

requested the waivers on April 7, 2020, and the waivers became effective April 9, 2020, to establish expedited procedures. One waiver provides that the public comment period on substantial amendments may be five (5) days instead of 30 days. Another waiver provides that a virtual public hearing can be held. Waivers are applicable to all substantial amendments through July 31, 2021, subject to further guidance from the federal government.

The CARES Act provides that the citizen participation and consultation requirements for substantial amendments and new Con Plan submissions for ESG CARES Act funding, known as ESG-CV, be omitted. While a public comment period for ESG-CV funding is not required, the City must publish how ESG-CV funds will be used, at a minimum, on the internet at the appropriate Government website or through other electronic media. Please note that this omission of a public comment period is applicable only to ESG funding from the CARES Act. The notice regarding how ESG-CV will be used will be published on the HCIDLA website.

3.3.5 Minor Amendments

Changes to the Con Plan or AAP that do not meet the criteria for substantial amendments are minor amendments and do not require citizen participation. Such changes may include:

- Increases or decreases in a project's funding (budget line item) of less than 30%;
- Grammatical or formatting edits that do not substantially change the purpose or scope of a project;
- Changes in the CDBG activity coding or eligibility determination of a project that does not substantially change the purpose or scope of a project;
- Changes in HUD requirements or in HUD-provided data that does not otherwise meet the criteria of a substantial amendment;
- Changes made to the City's General Plan, Specific Plans, department functions, or City organizational structure that does not otherwise meet the criteria of a substantial amendment;
- Changes in names, telephone numbers, business unit names, and other like information;
- Other changes that do not meet the criteria of a substantial amendment.

3.4 Performance Report (CAPER)

Consolidated Annual Performance and Evaluation Report (CAPER) describes the accomplishments of each project and activity undertaken during the previous fiscal year, including how funds were actually used and the extent to which these funds were used for activities that benefited low and moderate income residents. By providing detailed financial and beneficiary information, the CAPER explains how a jurisdiction is carrying out its housing and community development strategies and meeting its goals. City staff is required to use HUD's Integrated Disbursement and Information System (IDIS) to set up program projects and activities, draw funds, and report accomplishments. This input creates a database that contains information required for the CAPER. The CAPER must be submitted to HUD within 90 days of the close of Los Angeles' program year on June 30; therefore, the CAPER must be submitted no later

than September 30. Members of the public have the opportunity to comment on the draft CAPER during a 15-day public comment period before the report is finalized and submitted to HUD.

3.5 Assessment of Fair Housing (AFH)

The Assessment of Fair Housing is a federal planning process required under the Affirmatively Furthering Fair Housing (AFFH) Final Rule, 24 CFR Parts 5, 91, 92, *et al.* On January 5, 2018, however, HUD published a notice that it was suspending the AFFH Rule until 2024 for a majority of jurisdictions, including the City of Los Angeles. In place of the suspended AFFH Rule, HUD instructed jurisdictions to return to the former Analysis of Impediments (AI) process. In response to this, then-California Governor Jerry Brown, signed a fair housing bill on September 30, 2018. Beginning in 2021, this CA law will require each city to include an analysis and action plan to combat housing discrimination. Pursuant to state law, the City of Los Angeles will conduct and complete the required analysis and action plan to combat housing discrimination. In the event the AFFH Final Rule is reinstated, the goal of the federal AFH planning process is to help communities analyze challenges to fair housing choice and establish their own goals and priorities to address the fair housing barriers by and through:

- Information on the development of the City's AFH, including the data sources used and surveys taken, will be available on the HCIDLA website at <http://hcidla.lacity.org/assessment-fair-housing>;
- The City publishes a draft of the AFH on the HCIDLA website for a 45-calendar day public comment review period, and printed copies are also available for review at all HCIDLA public counters;
- The City holds a public meeting to review the key findings of the draft AFH and take public comments;
- The AFH is updated based on the input gathered during the public comment period, and a final AFH is presented to City Council, the Mayor and the HACLA Board of Commissioners for approval.

For further information about the AFFH Final Rule and the AFH, please visit <https://www.hudexchange.info/affh/faqs/>.

3.6 Citizen Participation Plan

Prior to amending this Citizen Participation Plan, the public has a 30-day period to review and comment on proposed changes. The document will be posted for internet access to HCIDLA's website, and an electronic notification system is used to notify citizens that have previously signed up for notifications about the document posting. The public may submit comments by email, telephone, fax or regular mail before proposed changes are implemented. All comments will be summarized when HCIDLA submits its CP Plan amendment to HUD.

3.6.1 Disaster/Emergency Expedited CP Plan Amendments

As a result of the CARES Act, HUD issued a waiver allowing for a public comment period of five (5) days for a CP Plan amendment, instead of the 30-day public comment period, for

disaster/emergency circumstances. The opportunity for comment will be given by following the same CP Plan amendment process, which is to post the notice to the HCIDLA website and to email subscribers. The waiver is in effect until July 1, 2021, subject to further guidance from HUD.

4 PUBLISHING DOCUMENTS & PUBLIC NOTICES

The Con Plan, AAP, Substantial Amendments, CAPER, AFH (if applicable), and CP Plan will be provided to citizens, private and public agencies, and other interested parties in a manner that affords them a reasonable opportunity to examine its contents and to submit comments. When the entire documents are massive in size, HUD allows jurisdictions to publish a summary for public review and provide access to the entire document upon request. This summary describes the purpose, contents, description of goals and activities, and includes a list of locations where the documents may be examined. Copies will be available at all HCIDLA main and satellite offices.

The City will place a copy of the entire document on the HCIDLA website, or if only a summary is available, place the summary on the HCIDLA website, and notify the public through mass electronic notification systems and newspaper notices that the document is available for review. Notifications will describe how the documents can be accessed and how the public can make comments. Upon request, a limited number of copies of the summary will be printed for the public and community organizations, and the summary will be made available in a form accessible to persons with disabilities when requested. The entire document will be made available as soon as possible. The summary or entire document can be requested by sending an email to hcidla.planning@lacity.org. In addition, the public can access the document through the internet at all public libraries, most senior centers, and at many community-based organizations. The public may ask to be placed on a list to be notified electronically when the documents are available for public comment.

4.1 Timeframes for Public Notices Regarding Plans, Reports, and Activities

For the Con Plan and AAP, HCIDLA will have a legal notice containing a summary published in one or more newspapers of general circulation. The public will have 30 days to submit comments both prior to when the draft is available and after the draft is available.

Notices of public meetings will be published in one or more newspapers of general circulation, posted to the HCIDLA website and sent electronically to subscribers at least ten (10) days in advance.

Notices of public hearings will be publicized at least three (3) days in advance by the committee or commission holding the hearing, usually by posting on their website or on lacity.org.

The public will have 30 days to submit comments on substantial amendment(s) to the Con Plan or AAP.

The public will have 15 days to submit comments on the draft CAPER.

For the AFH (if applicable), HCIDLA will have a legal notice containing a summary published in one or more newspapers of general circulation. The public will have 45 days to submit comments on the AFH (if applicable).

Under the CARES Act HUD waiver related to a declared national emergency, for substantial amendments to the Con Plan or AAP and for amendments to the CP Plan, the public will have five (5) days to submit comments.

4.2 Limited English Proficiency

As stated in section 2.1, notices of public meetings posted on the HCIDLA website and distributed by email are available in Spanish, and may be available in other languages as requested.

4.3 ADA Accessibility

To meet ADA accessibility, documents are remediated through CommonLook or a similar software to ensure that the standards for ADA-compliance are met for screen-reading technologies, and accessibility is checked and verified before documents are posted to the HCIDLA website.

5 PUBLIC MEETINGS

In collaboration with the Mayor's Office, Council Districts, the Commission on Community and Family Services (CCFS), Los Angeles Homeless Services Authority (LAHSA), EWDD, and other stakeholders, HCIDLA organizes public meetings on the Con Plan, the AAP and the AFH (if applicable). Public meetings on the Con Plan will address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH (if applicable), and a review of program performance. The plans and reports are presented to the public for discussion and feedback. Various opportunities for soliciting comments are made available in the public meetings, such as question and answer periods, polls, small group discussion, written comments, project gallery or station walk-throughs, and surveys. The input from community members is compiled and presented to the Mayor and City Council for consideration in preparing the plan summary. The reports are also posted to the HCIDLA website.

Every effort is made to hold the public meetings in neighborhoods and locations where grant funds have been used or are considered to be used, particularly CDBG. These neighborhoods may consist of areas of concentration of low-income residents, racial and ethnic minority residents, non-English speaking residents, underrepresented, and older adult populations. Locations are also selected for assurance of disability access and access to public transportation.

5.1 Limited English Proficiency Access

As stated in section 2.1, interpretation in Spanish is available at public meetings, and may be available in other languages as requested.

5.2 ADA Accessibility

As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability and, upon request, will provide reasonable accommodation to ensure access to its programs, services, and activities. Communication Access Realtime Translation is made available for hearing-impaired participants. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. To ensure availability, requests need to be made at least three (3) working days before the meeting by contacting hcidla.planning@lacity.org or (213) 922-9621. The availability of these services will be so noted in the notices regarding the community meetings. In addition to communication access, HCIDLA will hold public meetings at locations that provide accessibility for mobility assistive devices and accessible parking.

5.3 CARES Act Waiver for Virtual Public Meetings

Waivers from the federal government related to the CARES Act provide that public hearing requirements can be met 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. Interested citizens are encouraged to participate through notices regarding virtual public meetings. These notices will be distributed electronically (e.g., websites, email, social media) as soon as practicable before the meeting date. Information shall be given on how to attend the virtual meeting by providing a URL and/or telephone number to access the meeting.

The City will take appropriate steps to ensure effective communication with persons with disabilities consistent with the requirements of accessibility laws, such as Section 504 of the Rehabilitation Act and the Americans with Disabilities Act. Such steps will include ensuring that information is provided on an accessible website, that e-mails and other digital notifications are accessible, and that the application or platform used to host the hearing is accessible. Additional auxiliary aids or services may be available if requested, and to ensure availability, requests need to be made at least three (3) working days before the meeting by contacting hcidla.planning@lacity.org or (213) 922-9621. If no method of conducting a virtual meeting is available that appropriately accommodates an individual's disability, an in-person meeting may be scheduled later.

For persons with limited English proficiency, the City will take reasonable steps to provide them with meaningful access to the virtual meeting, which may include translation of documents and captioning or interpretation in the appropriate language(s).

6 PUBLIC HEARINGS

All City Council and City Council Committee meetings are open to the public, with the exception of *closed session* meeting items. Members of the public may comment on agenda items at either City Council Committee meetings or full City Council meetings. If public comment on an agenda

item is not heard in Committee, an opportunity for public comment will be provided during the full City Council meeting. The plans and reports are presented to the City Council for review and approval.

The City Council Committees and the Commissions that are most likely to address matters related to the plans and reports discussed in this CP Plan are listed below. Citizens are invited to attend and make comments at the meetings. The City Council and Commissions are subject to Conflict of Interest laws (California Government Code Section 1090 *et seq.* and 24 CFR §570.611) and the Brown Act (California Government Code 54950 *et seq.*), as well as the Roberts Rules of Order when conducting public meetings.

From time to time, the need arises for additional ad hoc committees within the City Council to address specific time-bound and goal-bound matters related to the subject plans and reports.

For information regarding the City Council or Committee opportunities for citizen participation, the Council or Committee Legislative Assistant shall be contacted at the phone number and/or email address listed on the public meeting notice. The Legislative Assistant may answer questions and provide materials and notice of matters scheduled before the City Council. The public can submit verbal or written comments on matters scheduled.

6.1 Key City Council Committees and Commissions

Key City Council Committees and Commissions are identified below. The meeting schedules of these Committees and Commissions are subject to change and the Committee and Commission names may change over time.

6.1.1 City Council Housing Committee

The Housing Committee is a committee composed of City Councilmembers who review, comment on, and make recommendations to the Mayor and the entire City Council regarding housing and community development priorities, plans, budgets and activities.

6.1.2 City Council Homelessness and Poverty Committee

The Homelessness and Poverty Committee is a committee composed of City Councilmembers who review, comment on, and make recommendations to the Mayor and the entire City Council regarding State grant funding for homeless assistance programs. The committee's focus is on moving homeless individuals and families into permanent housing and supporting the efforts of those individuals and families to maintain their permanent housing.

6.1.3 Ad Hoc Committee on COVID-19 Recovery and Neighborhood Investment

The Ad Hoc Committee on COVID-19 Recovery and Neighborhood Investment is a committee composed of City Councilmembers who review, comment on, and make recommendations to the Mayor and the entire City Council regarding state and federal funding, including funding from the federal Coronavirus Aid, Relief and Economic Security (CARES) Act, to help the City with its response to and recovery from the COVID-19 pandemic disaster.

6.1.4 Commission on Community and Family Services (CCFS)

The Commission on Community and Family Services (CCFS) was established by City ordinance in 2010. The Board acts in an advisory capacity to the Mayor, Council and HCIDLA General Manager on poverty and the needs, concerns and interests of children, youth and their families, and on the administration of the Con Plan, including the fulfillment of the relevant legal requirements for public participation. The plans and reports are presented to the Commission and the public for discussion and feedback. The input is compiled and presented to the Mayor and City Council for consideration.

6.1.5 Affordable Housing Commission (AHC)

The Affordable Housing Commission (AHC) was created as an advisory body to the Mayor and the City Council on affordable housing policies. Many appointees are experienced housing professionals who represent community organizations, management, property owner-tenant, and affordable housing advocates. The AHC provides policy guidance regarding grant funding priorities and allocations for housing activities. The plans and reports are presented to the Commission and the public for discussion and feedback. The input is compiled and presented to the Mayor and City Council for consideration.

6.1.6 Los Angeles Homeless Services Authority (LAHSA) Commission

The Los Angeles Homeless Services Authority (LAHSA) is a Joint Powers Authority established by the County and the City of Los Angeles in 1993 as an independent agency. LAHSA provides oversight for the funds allocated to it by the City, which include CDBG, ESG, and City General Fund monies allocated to activities to address the reduction and prevention of homelessness. LAHSA is the lead agency in the Los Angeles Continuum of Care, and coordinates and manages millions in Federal, State, County and City funds for programs providing shelter, housing, and services to homeless persons in Los Angeles City and County. The LAHSA Commission obtains information on homeless needs for the development and implementation of homeless services programs. The plans and reports are presented to the Commission and the public for discussion and feedback. The input is compiled and presented to the Mayor and City Council for consideration.

6.1.7 Los Angeles County Commission on HIV (COH)

The Los Angeles County Commission on HIV (COH) serves as the local planning council for the planning, allocation, coordination and delivery of Ryan White² funding for HIV/AIDS services. The COH is a 51-member board appointed by the County Board of Supervisors and represents a diverse group of providers, consumers, and stakeholders. One-third of the membership are HIV+ individuals who are consumers of the federally-funded Ryan White Program. The plans and reports developed by the planning body are presented to the Commission and the public for

² The Ryan White HIV/AIDS Program provides HIV-related services in the United States for those who do not have enough health care coverage or financial resources for coping with HIV disease. The program fills gaps in care not met by other payers.

discussion and feedback. The input is compiled and presented to the Mayor and City Council for consideration.

6.2 ADA Accessibility and Limited English Proficiency (LEP)

The following information is provided by the City Clerk, which coordinates City Council meetings. Sign Language Interpreters, Communication Access Real-Time Transcription (CART), assistive listening devices, or other auxiliary aids and/or services may be provided upon request at least 72 hours prior to the meeting. However, due to difficulties in providing persons for sign language interpretation, five (5) or more business days' notice is strongly recommended. Requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act can be made by contacting the City Clerk's Office at CityClerk@lacity.org or (213) 978-1133. For Telecommunication Relay Services for the hearing impaired, please see the information located at the end of each meeting agenda. The Commissions follow similar procedures.

Spanish language translation service is offered at/for all City Council meetings.

6.3 CARES Act Waiver for Virtual Public Hearings

Waivers from the federal government related to the CARES Act provide that public hearing requirements can be met 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. Notices regarding virtual public hearings are made available electronically at least 72 hours before the meeting date. Information shall be given on how to attend the virtual meeting by providing a URL and/or telephone number to access the meeting.

7 ACCESS TO RECORDS

The California Public Records Act (CPRA) signed into law in 1968, requires inspection or disclosure of governmental records to the public upon request, unless exempted by law. The law is similar to the federal Freedom of Information Act, except that "the people have the right of access to information concerning the conduct of the people's business" is enshrined in Article 1 of the California Constitution. The California Public Records Act (CPRA) requests are handled by the HCIDLA Custodian of Records group, and all requests should be directed to the Custodian of Records group via one of the methods below:

- By email at hcidla.custodian@lacity.org
- By phone at (213) 922-9612
- Via U.S. mail to: ATTN: Custodian of Records
Los Angeles Housing + Community Investment Department
1200 W. 7th St., Suite 450
Los Angeles, CA 90017
- Via fax to (213) 808-8404

- In person at the Public Counter of HCIDLA's Main Office at 1200 West 7th Street, 1st Floor, Los Angeles

HCIDLA staff working on the relevant plans and reports will coordinate with the Custodian of Records to address the request.

8 TECHNICAL ASSISTANCE

8.1 Funding Request

HCIDLA staff provide technical assistance and support (information, guidance and training) to groups representing low- and moderate-income persons, City staff, public agencies, and individuals requesting information about or help with the requirements for, and the development and submission of applications, particularly for CDBG funding. This assistance is delivered in the form of CDBG-related application documents; staff support via telephone, email, in-person training and meetings; and social media, virtual meeting and training formats.

8.2 Assessment of Fair Housing

HCIDLA and HACLA focus on engaging and encouraging community participation by populations that are typically underrepresented in the local planning processes through collaboration with community organizations that work directly with the targeted populations. The City AFH team (if applicable) engages and targets outreach to residents of racially/ethnically concentrated areas of poverty (R/ECAPs) by working closely with community organizations and Resident Advisory Councils representing HACLA tenants.

Technical assistance is provided to low- and moderate-income persons that request assistance in commenting on the AFH (if applicable) by directing them to public meetings to provide input on community and fair housing issues, to the draft AFH (if applicable) posted on the website, and to a designated email and address for submitting comments. Meetings flyers are available in English and Spanish.

In addition to face-to-face meetings, the City and HACLA may conduct survey(s) that may be translated into six foreign languages: Spanish, Korean, Chinese, Tagalog, Russian, and Armenian; and be available electronically on the websites of the City, HACLA, and LA County. Citizen participation is encouraged through flyers, social media, advertisement of the resident survey in public lobbies of HACLA housing management offices, at other commonly used public buildings, as well as disseminated and posted with the assistance of partner entities (i.e., community-based organizations, various City offices and departments, etc.).

9 COMPLAINTS

The HCIDLA will investigate and provide a timely, substantive written response to every written complaint received from the public. When a written complaint is received, a written response will be made within 15 working days, where practicable, by the appropriate implementing department. If the matter is not resolved by staff, the HCIDLA General Manager will consider the complaint and respond in writing within 15 working days. A record will be maintained of all

complaints received that will include the nature of the complaint, referrals made, and the final disposition.

Residents should send their written complaints to:

General Manager
Los Angeles Housing + Community Investment Department
1200 West 7th Street, 9th Floor
Los Angeles, CA 90017