

**City of Moorhead**  
**Community Development Block Grant**  
**Citizen Participation Plan**

**Purpose**

The City of Moorhead encourages citizen participation in all aspects of government, and particularly through its Community Development Block Grant process. The purpose of the Citizen Participation Plan is to set forth the City of Moorhead's procedure for citizen participation. This Plan applies to the City's use of U.S. Department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) funds. The Citizen Participation Plan provides the steps to be taken to assure that citizens have an opportunity to participate and contribute ideas in the development of CDBG related items/publication. The Citizen Participation Plan was drafted in accordance with Sections 91.100, 91.105, and 91.505.

**What is Community Development?**

Community Development is a practice involving research, evaluation, collaboration, and strategic planning, mostly associated with affordable housing, homelessness, employment, transportation, and community resources and assets (e.g., social, environmental/natural, political, cultural, financial, built, and human capitals etc.). The City of Moorhead employs a Community Development Program Administrator who is responsible for plan development of its Department of Housing and Urban Development (HUD) grant. The City Council maintains final approval of annual and consolidated plans and budgets.

**Community Development Block Grant (CDBG).**

The goal of the CDBG program is to develop viable urban communities by providing decent housing and suitable living environments, as well as expanding economic opportunities for low and moderate-income persons. It is a program designed to be flexible and tailored to community development needs and priorities. At least 70% of CDBG funds over a period of three years must be used to benefit people with low and moderate incomes. This does not include planning and administrative costs, but does include program income. Eligible activities under CDBG include, but are not limited to:

- Acquisition of real property
- Demolition
- Rehabilitation of residential and non-residential structures
- Public services
- Activities relating to energy conservation and renewable energy resources
- Economic development and job creation/retention activities

**Accessibility**

**Access to Meetings**

Meetings and Public Hearings. All public hearings are advertised and published in the official newspaper of the City at least ten days prior to the hearing date. Meetings are held in fully accessible locations and special services and auxiliary aids are offered to those with mobility, vision, or hearing impairments. Translator services are also available upon request by non-English speaking persons. Moorhead City Council meetings are public meetings held on regularly scheduled dates each month. CDBG hearing notices are also posted to the

City's website, sent to eNotification subscribers, and forwarded to the Moorhead Public Housing Agency and Moorhead Public Library for posting on bulletin boards and in elevators of public housing facilities.

In an effort to reach out to low- and moderate-income households and neighborhoods, the City of Moorhead invites participation by local housing and supportive service providers within the City to participate in and provide information for the Consolidated Plan by direct mailings to these agencies and interested constituents. All publications invite review and comments by interested persons by phone, in writing, or at public hearings and meetings.

*Information Availability to the Public.* Upon request, non-privacy protected information with regard to CDBG programs and other City activities are provided at no cost to any person requesting the information. Files are maintained for a minimum of five years regarding CDBG projects and expenditures and are available for review in the Department of Governmental Affairs office at Moorhead City Hall during regular business hours.

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*Technical Assistance* The City of Moorhead Department of Governmental Affairs' staff is willing to provide information and technical assistance to persons or entities wishing to develop proposals for housing and community development grant funding to HUD, Minnesota Housing Finance Agency, City of Moorhead program offerings, and others as would benefit the community.

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#### Public Hearings

Public hearings regarding CDBG funding will be held at the following points during the program year:

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- Development of the Consolidated Annual Performance and Evaluation Report
- Prior to developing the Consolidated Plan
- During the public comment period prior to submission of the Consolidated Plan
- Substantial Amendments to the Consolidated Plan or Annual Action Plan

The meetings are held at the Hjemkomst Center or other community locations, which are fully accessible to persons with disabilities and are published in the official newspaper of the City, printed on the Moorhead City Council meeting agenda, posted on the City of Moorhead website, sent to e-Notification subscribers, listed on Moorhead Cable Access Television meeting announcements, and forwarded to the Moorhead Public Housing Agency and Moorhead Public Library for posting on bulletin boards and in elevators of public housing facilities. Meetings are scheduled at a variety of times to be convenient to the public. Interpreter services will be provided by the City of Moorhead when a significant number of limited English speaking residents are anticipated to attend.

#### Publication of the Consolidated ~~Plan~~ and Annual Action Plan

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The City of Moorhead publishes a summary of its Consolidated Plan, including the anticipated amount of assistance expected to be available, activities to be undertaken, and the amount of funds that will benefit low and moderate income persons, so that citizens have an opportunity to review the plan and provide comments for at least 30 days prior to City Council approval. Copies of the Consolidated Plan are posted to the City's website, available for review at the Moorhead Public Library and the Moorhead Department of Governmental Affairs' office, and mailed to all citizens who request them at no cost. Alternative formats of the Consolidated Plan, this Citizen Participation Plan, and related publications will be made accessible to persons with disabilities upon request.

#### Consolidated Annual Performance and Evaluation Report (CAPER)

~~The CAPER will be completed by the City of Moorhead each program year and an opportunity for review will be made known through newspaper publication of a 15-day comment period. Annual performance reports will be completed by the City of Moorhead each program year and an opportunity for review of the Performance Report will be made known through newspaper publication of a 15-day comment period.~~ A community

meeting will be held during the comment period. Copies of the Performance Report will be available for review at the Moorhead Public Library and the Moorhead Department of Governmental Affairs' office and mailed, at no cost, to all citizens who request them.

#### **Amendments to the Consolidated Plan or Annual Action Plan**

##### **Substantial Amendment**

An amendment is considered substantial when:

- Changes in the use of CDBG funds from one eligible activity to another are made
- Changes to the greater of \$20,000 or 25% of the activity budget
- A deletion of an activity or project described in the ConPlan or AAP occurs
- An addition of an activity or project not described in the ConPlan or AAP occurs
- Major changes in the purpose, scope, location, or beneficiaries of an activity are made

Public Comment: The proposed substantial amendment shall be made publicly available for a public comment period of no less than thirty (30) days unless otherwise prescribed by HUD.

Public Notice: In the event of a substantial amendment, citizens will be notified through publication of a description of the amendment in the official newspaper of the City and e-Notification to subscribers 30 days prior to enacting the change. The notification will encourage citizen participation through a public hearing prior to submission of the amendment to HUD.

##### **Response to Citizen Comments**

Comments regarding the Consolidated Plan, amendments to the Plan, and performance reports are forwarded to the Moorhead City Council and subsequently to HUD. The City of Moorhead responds to written citizen complaints and grievances within 15 days of receipt. A summary of citizen comments is provided to HUD with submissions of plans, reports, and amendments.

##### **Displacement**

The City of Moorhead will minimize displacement of all persons resulting from its CDBG program activities and will follow the Uniform Relocation Act standards in the event of displacement resulting from its CDBG program activities. Details of any project that requires displacement will be published for comment at least 10 days prior to project approval.

##### **Minor Amendment**

Any changes to the Consolidated Plan or the Annual Action Plan not meeting the criteria described in the Substantial Amendment section above will be considered a minor amendment or revision. Such changes will not be published or subject to public participation process nor will it require approval from the City Council.

#### **The following Expired HUD COVID-19 Waivers and Rules have been removed from the Citizen Participation Plan**

HUD issued a memo on March 31, 2020 regarding Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19.

These waivers allow for alternative hearing formats (i.e., virtual meetings) and reduced public comment period of 5 days. Waivers 8 and 9 under Consolidated Plan Requirements apply as waiver 8 regarding Citizen Participation Public Comment Period for Consolidated Plan Amendment and waiver 9 is Citizen Participation Reasonable Notice and Opportunity to Comment. The waiver language is provided as an attachment at the end of this plan. In accordance with HUD's direction, this Citizen Participation Plan has been amended with the

waivers as noted below under “Access to Meetings,” “Public Hearings,” and “Publication of the Consolidated Plan” sections of this plan.

**NOTE: HUD COVID-19 Waiver 9 allows for alternative hearing formats (i.e., virtual meetings).**

In addition to the HUD waiver, the Governor of Minnesota has also authorized public meetings to take place virtually in an effort to contain COVID-19 and limit public gatherings, recognizing that there is a need to respond quickly to the growing spread and effects of COVID-19.

The City of Moorhead has been using Webex meetings (and will continue to use that or any other similar software) to allow for regular City Council meetings and public hearings to take place virtually. Staff allows opportunities for the public to provide oral testimony during the Webex meetings and encourages comments be submitted in advance via email. The City will allow for public comments on CDBG items following this same method to ensure ample opportunity to participate.

**Applicability: This authority is in effect through the end of the 2020 program year.**

The information in this section is expired:

**NOTE: HUD COVID-19 Waiver 9 allows for alternative hearing formats (i.e., virtual meetings).**

In addition to the HUD waiver, the Governor of Minnesota has also authorized public meetings to take place virtually in an effort to contain COVID-19 and limit public gatherings, recognizing that there is a need to respond quickly to the growing spread and effects of COVID-19.

The City of Moorhead has been using Webex meetings (and will continue to use that or any other similar software) to allow for regular City Council meetings and public hearings to take place virtually. Staff allows opportunities for the public to provide oral testimony during the Webex meetings and encourages comments be submitted in advance via email. The City will allow for public comments on CDBG items following this same method to ensure ample opportunity to participate.

**Applicability: This authority is in effect through the end of the 2020 program year**

**NOTE: HUD COVID-19 Waiver 8 allows for a reduced 5-day comment period.**

**Applicability: The 15 and 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 during this emergency period. The waiver is available through the end of the recipient’s 2020 program year. Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan.**

#### **Attachment**

#### **HUD COVID WAIVER 3/31/20: CONSOLIDATED PLAN REQUIREMENTS**

**8. Citizen Participation Public Comment Period for Consolidated Plan Amendment Requirement: 30-day Public Comment Period.**

**Citations: 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401**

**Explanation: A CPD grantee may amend an approved consolidated plan in accordance with 24 CFR 91.505. Substantial amendments to the consolidated plan are subject to the citizen participation process in the grantee’s citizen participation plan. The citizen participation plan must provide citizens with 30 days to comment on substantial amendments.**

**Justification:** Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i) as specified below, 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 CDBG, HOME, HTF, HOPWA or ESG funds.

**Applicability:** 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. The waiver is available through the end of the recipient's 2020 program year. Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan.

#### **9. Citizen Participation Reasonable Notice and Opportunity to Comment**

**Requirement:** Reasonable Notice and Opportunity to Comment.

**Citations:** 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401

**Explanation:** As noted above, the regulations at 24 CFR 91.105 (for local governments) and 91.115 (for States) set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. The citizen participation plan must state how reasonable notice and opportunity to comment will be given.

**Justification:** HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.

**Applicability:** This authority is in effect through the end of the 2020 program year.