



Community Development Block Grant (CDBG) Program

Citizen Participation Plan

**With the Fourth Amendment
January 2024**

Table of Contents

Contents

Table of Contents.....	2
Introduction	3
Background	4
Public Notice.....	5
Public Hearings	6
Public Comment Period & Publication of Plans/Reports.....	6
Amendments to Consolidated Plans & AAPs	7
Amendments to the Citizen Participation Plan	8
Substantial Amendment to the Citizen Participation Plan	8
Citizen Comments & Feedback.....	9
American With Disabilities Act (ADA) – 1973 Rehabilitation Act	9
Language Assistance.....	10
Additional Citizen Participation Activities	10
Consultation of Area Agencies	10
Public Access to Records	11
Residents of Public and Assisted Housing	11
Environmental Review.....	11
Plans to Minimize Displacement of Persons and to Assist any Persons Displaced.....	11
Technical Assistance	12
Certifying Officers.....	12
Complaints and Grievances	12
Effective Date and Amendments.....	13

Introduction

The City of Thornton receives funding through the U.S. Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program. The primary objective of CDBG is the development of viable communities by the provision of decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low- and moderate-income. In more detail the CDBG program goals are:

- 1) Provide decent housing: including assisting homeless persons to obtain affordable housing; preservation of existing affordable housing stock; increasing the availability of permanent housing that is affordable to low income persons without discrimination; and increasing supportive housing that includes structural features and services to enable persons with special needs to live in dignity.
- 2) Provide a suitable living environment: including improving the safety and livability of neighborhoods; increasing access to quality facilities and services; revitalizing deteriorating neighborhoods; restoring and preserving natural and physical features of special value for historic, architectural, or aesthetic reasons; and conserving energy resources.
- 3) Expand economic opportunities: including the creation of jobs accessible to low income persons; providing access to credit for community development that promotes long-term economic and social viability; and empowering low income persons to achieve self-sufficiency in federally assisted and public housing programs.

HUD defines low to moderate income (LMI) households based upon the Area Median Income (AMI) in a Denver-Metro area on an annual basis. Extremely low income households are at or below 30% of the AMI, very low income households are at or below 50% of the AMI, and low/moderate income households are at or below 80% of the AMI. Neighborhoods in which 51% or more of the residents are at or below 80% AMI are defined as "predominantly low-and moderate-income neighborhoods". Income limits for the Denver Metropolitan Area are published annually by HUD. Current income limits can be obtained by contacting the Community Connections Division.

As a requirement for receiving CDBG funds, the City must complete several planning and reporting requirements. These reports include:

- 1) Five Year Consolidated Plan (ConPlan);
- 2) Annual Action Plan (AAP);
- 3) Consolidated Annual Performance Evaluation Report (CAPER);
- 4) Citizen Participation Plan (CPP);
- 5) A Substantial Amendment to any of the above plans or reports; and

6) Analysis of Impediments to Fair Housing Choice (AI);

Citizen Participation must be an integral part of the Consolidated Plan's preparation. The citizen participation process involves scheduling, publicizing, and conducting public meetings and hearings plus providing comment periods on new directive documents. HUD, in its attempt to ensure adequate opportunity for participation by potential program beneficiaries, has prescribed minimum citizen participation, plan submission, performance reporting, and record maintenance requirements. These citizen participation requirements are established in 24 Code of Federal Regulations (CFR) Part 91.105.

The CDBG program is administered by the City of Thornton's Parks, Recreation & Community Programs Department, Community Connections Division. Any comments or questions regarding the CDBG program can be sent to:

City of Thornton
Community Connections Division
9471 Dorothy Blvd.
Thornton, CO 80229
720-977-5800
cdbg@ThorntonCO.gov

Additional information can also be found at:

<https://www.thorntonco.gov/community-connections/Pages/default.aspx>

The local citizen participation process includes annual, well-advertised, public hearings/public input meetings held virtually or in person, to review the AAP, CAPER, and any substantial amendments to those documents or the Consolidated Plan. All public hearings are advertised in accordance with applicable HUD, State, and local regulations. Public notices for an activity's environmental review process, if federally required, are also part of the citizen participation process.

Background

The City of Thornton became an entitlement jurisdiction and became eligible to receive CDBG funds in 2010. As an entitlement jurisdiction, the City annually receives CDBG funding directly from HUD. The City administers the grant, ensuring the funds are used according to the Code of Federal Regulations (CFR) and that the associated plans, reports, and certifications are completed on time and accurately.

To receive HUD funding, the City must complete a Consolidated Plan once every five years (24 CFR § 91.15). The Consolidated Plan is a strategic plan that examines the City's housing and community development needs, sets priorities for HUD grant monies, and establishes an action plan for meeting current and future needs. Each Consolidated Plan is required to have a strategy

for citizen participation in the Consolidated Planning process (24 CFR Part 91.105).

HUD requires the City to submit an AAP each year to receive CDBG funding (24 CFR § 91.15). The AAP serves as the City's application to HUD for CDBG funding and includes the projects and their related activities the City intends to fund. The AAP also outlines the objectives and tasks that will be accomplished during the program year. It includes sections that describe the public participation process, how other resources will be leveraged, and how the City plans to address barriers to affordable housing, fair housing, and homelessness. The City's CDBG program year begins October 1 and ends September 30.

Within 90 days of the completion of each CDBG program year, the City develops and submits to HUD the CAPER which reviews the progress made in addressing the needs and goals in the previous AAP and the Consolidated Plan. The report also includes a description of the resources made available, the investment of the resources, and the distribution and location of investments, per 24 CFR § 91.520.

Public Notice

It is the policy of the City to give residents reasonable and timely notice of meetings and access to materials related to the City's use of CDBG funds. Notice of all public comment periods will be published in a local newspaper beginning on or prior to the first day of the public comment period, per 24 CFR Part 91.105

Each meeting notice will provide the date, time, location, and description of the public comment period, as applicable. The amount of lead time varies depending on the event.

The City will utilize the following media to notify the public regarding upcoming public hearings/meetings:

- 1) A local newspaper of general circulation serving the City of Thornton.
- 2) The City's website at <https://www.thorntonco.gov>.
- 3) Per City policy all public hearings are posted at the City Hall, Active Adult Center, and Recreation Centers.

During declared emergencies, such as pandemics or natural disasters, the requirement to publish the notice and summary in a newspaper of general circulation described above may be suspended. The City shall at a minimum publish public notices on the City's website and promote such advertisements on social media as available. Furthermore, a shorter period for notification may be allowable by HUD waivers. The timelines adopted will be those established by HUD at the time.

Public Hearings

At least two public hearings/meetings must be held each year to obtain residents' views and to respond to proposals and questions. These public hearings may be held in person, or in person with a virtual option, are to be conducted at a minimum of two different stages of the program year. Additional public meetings may be held at the discretion of City staff, per 24 CFR Part 91.105 (b – f).

One public hearing will be held during the development of the Consolidated Plan and/or AAP, prior to its adoption. An additional public hearing may be held during a City Council meeting to allow for feedback and Council approval, though this hearing is not required. A second required public hearing will be held to provide information related to the CAPER.

Together, the public hearings/meetings must address:

- 1) Housing and community development needs
- 2) The development of proposed activities
- 3) Proposed strategies and actions for affirmatively furthering fair housing
- 4) A review of program performance

Additional information may also be reviewed at public hearings and community meetings including, but is not limited to the:

- 1) Amount of grant funding and program income anticipated in the coming year
- 2) Range of activities that may be undertaken
- 3) Estimated amount of grant funding and program income proposed to be used for activities that will benefit low and moderate-income persons
- 4) Any proposed activities likely to result in displacement and the City of Thornton's plan for minimizing displacement

During declared emergencies, such as pandemics or natural disasters, public hearings and meetings may be held exclusively in an online capacity as allowed by HUD. In this situation, the ability for public comment will also be provided.

Public Comment Period & Publication of Plans/Reports

The City of Thornton makes available to the public, the following plans and reports for public review and comment, per 24 CFR Part 91.105:

- 1) Five-Year Consolidated Plan (ConPlan) & Annual Action Plan (AAP)

- 2) Consolidated Annual Performance Evaluation Report (CAPER)
- 3) Citizen Participation Plan (CPP)
- 4) Substantial Amendments to any of the above plans or reports

A publication of the plans/reports are made to allow citizens to examine the documents' contents and to provide further opportunity for citizen comments, suggestions, and feedback regarding the proposed documents. A brief summary of each plan and/or report is to be published in newspapers of general circulation in English, and if possible in Spanish. Translation services will be available upon request.

All of the plans and reports listed above shall be made available, in their entirety, for further review as a PDF copy available on the City's website, and as hard copies available for review at the Community Connections Building at 9471 Dorothy Blvd., Thornton, CO 80229. Furthermore, copies of the proposed plan and/or report will be made available, free of charge, for individuals who request them.

The minimum number of days before the approval of documents for public comment and review are:

Document	Minimum Number of Calendar Days
ConPlan, AAP, CPP	30
CAPER	15
Substantial Amendments to ConPlan, AAP, and CPP	30
Substantial Amendments to CAPER	15
Analysis of Impediments to Fair Housing Choice	No public comment period required

During declared emergencies, such as pandemics or natural disasters, the public comment period may be shortened, as described by HUD, to as little as five (5) days to accelerate the process. In these cases, public documents will be made available on the City's website only.

Amendments to Consolidated Plans & AAPs

HUD provides grantees the ability to make changes to the Consolidated Plan and AAPs as the needs or circumstances change over the course of the plan. The City must determine the nature of each needed change(s). When the changes are considered substantial, the City must perform what HUD refers to as a Substantial Amendment, per 24 CFR Part 91.105 (c)(1).

The Substantial Amendment process will occur when one or more of the following program changes exist:

Consolidated Plan

- 1) There is a change to the Priority Needs identified in the Strategic Plan
- 2) There is a change to the Goals and Objectives identified in the Strategic Plan
- 3) There is a change to the Target Geographies/Areas identified in the Strategic Plan
- 4) New entitlement grants are awarded to the City

Annual Action Plan

- 1) There is a change to the Annual Goals and Objectives identified in the AAP
- 2) There is a change to any Target Geographies/Areas identified in the AAP
- 3) When a Project¹ previously described in the AAP is canceled
- 4) Creation of a new Project not previously described in the AAP
- 5) The initial AAP funding allocated to a Project is reallocated to a different previously identified Project by whichever is lesser: 10% or more, or \$50,000 or less.
- 6) Revision to an existing Project which changes the purpose, scope, location, or beneficiaries of the program

All other changes will be considered revisions (non-substantial) and will be accomplished administratively by the City. Non-substantial financial reallocations within a Project category will be approved by the City Manager as needed.

Prior to a Substantial Amendment to the Consolidated Plan and/or AAP, the City will provide citizens with reasonable notice of, and opportunity to comment on, proposed program changes. This involves a 30-day public comment period for the Consolidated Plan and Annual Action Plan. A summary of citizen comments or views and the reasons any such comments or views were not accepted will be attached to amendments to the Plan. The City will consider any such comments per 24 CFR Part 91.105 (c)(3).

Amendments to the Citizen Participation Plan

Substantial Amendment to the Citizen Participation Plan

A Substantial Change to the Citizen Participation Plan is defined by the City of Thornton to be:

- 1) A change in the definition of a substantial amendment for the Consolidated Plan or Annual

¹ In the Consolidated Plan and AAP a Project (also referred to as a project category) is one of four categories:

- 1) Housing
- 2) Public Facilities
- 3) Economic Development
- 4) Public Services

Action Plan; or

- 2) A change in the required public notification periods or public hearings; or
- 3) Any amendments required by HUD; or
- 4) A change to the City's policies or procedures regarding citizen participation.

All other changes to the CPP will be considered informal amendments and will be noted in the *Effective Date and Amendments* section of this document. Examples may include, but are not limited to, updates to contact information, the modes of outreach utilized, City policies referenced in this Plan that are amended, clarifications of terms used in the document, and applicable CFR's referenced in the Plan that are amended and do not substantially change the information included in the CPP.

Citizen Comments & Feedback

During all public hearings, citizens are encouraged to make comments to the City of Thornton concerning the proposed plans, reports, and the performance of the City departments and or entities under an agreement with the City's CDBG Program for the implementation of program-related activities. All comments, written and oral, will be accepted and included as part of the citizen participation records for the associated plan and/or report. (Per 24 CFR Part 91.105 (a – d))

Citizens may also provide written comments during any public comment period for plans and reports via mail addressed to the following:

Parks, Recreation & Community Programs Department
Community Connections Division
9471 Dorothy Blvd
Thornton, CO, 80229
Email: cdbg@ThorntonCO.gov

The Grant and Housing Supervisor may also be reached by telephone for oral comments and email comments at cdbg@thorntonco.gov or by calling (720) 977-5800.

Accessibility

American With Disabilities Act (ADA) – 1973 Rehabilitation Act

The City takes action to ensure that federally funded program activities are accessible to people with disabilities. Reasonable accommodations for persons with a disability will be provided upon request.

Anyone who requires an auxiliary aid or service for effective communication or a modification of policies or procedures to participate in a program, service, or activity of the City of Thornton, should contact the office of the ADA Coordinator at 303-538-7334 or adacoordinator@thorntonco.gov as soon as possible, but no later than 48 hours before the scheduled event. All public meetings are held in buildings that are accessible to the handicapped.

Through Colorado Relay at 711, people with hearing or speech loss who use a teletypewriter or other assistive device can contact and communicate with the City staff. Residents requesting a sign language interpreter for a public hearing should contact the City Clerk's Office at 303-538-7230 during operating hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. at least one business day in advance of the scheduled public hearing.

Language Assistance

With at least two business days of advanced notice, a language interpreter will be provided at public hearings and meetings, per 24 CFR Part 91.105(e)(4). Citizens may contact the City Clerk's Office at 303-538-7230 during operating hours, Monday through Friday, 8:00 a.m. to 5:00 p.m. at least one business day in advance of the scheduled public hearing/meeting. Translation services for documents may be provided for persons who may need assistance reviewing printed documents, reports, and/or other related materials. A minimum of five days is needed to provide translated documents.

Additional Citizen Participation Activities

Consultation of Area Agencies

Under 24 CFR.91.100 (a) as part of the ConPlan process, the City shall consult with other public and private agencies that provide assisted housing, health services, and social services, including those focusing on services to children, the elderly, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons. The City shall also and organizations that enforce fair housing laws when preparing the Consolidated Plan including participants in Fair Housing organizations, nonprofit organizations that receive funding under the Fair Housing Initiative Program, and other public and private fair housing service agencies, to the extent that such entities operate within the jurisdiction. Additionally, the consultation process will include regional government agencies in addition to adjacent units of general local government and local government agencies. This includes local government agencies with metropolitan-wide planning and transportation responsibilities, partially for problems and solutions that go beyond the City's jurisdiction.

Under 24 CFR.91.100 (c)(1) as part of the ConPlan development process, the City shall also consult with public housing authorities (PHAs) operating within the jurisdiction. This consultation will continue to consider public housing needs, planned programs, and activities

under the Consolidated Plan as well as strategies for affirmatively furthering fair housing specifically to address any fair housing issues in the public housing and Housing Choice Voucher programs. The consultation process requires the City to address the needs of public housing and, where necessary, how it will provide financial or other assistance to a troubled PHA to improve the PHA's operations and remove the designation of troubled – if applicable.

Public Access to Records

The City of Thornton will provide all interested parties with reasonable and timely access to information and records related to the City's CDBG program. The current CPP, ConPlan, AAP, and CAPER will be posted online at <https://www.thorntonco.gov/community-connections/>. Interested parties can also submit a public record request through the Parks, Recreation & Community Programs Department, Community Connections Division at 9471 Dorothy Blvd., Thornton, CO, 80229, by email at cdbg@ThorntonCO.gov, and at City Hall during regular business hours. (Per 24 CFR Part 91.105 (g-h))

Some of the City's CDBG-funded projects require the submission of proprietary business information or private personal information from a specific individual to document the financial or physical conditions of a person or building. Such proprietary information may be exempted from disclosure under certain conditions, as deemed by Thornton's Legal Department and/or HUD. Protected information regarding residents such as victims of crime is exempted from disclosure.

Residents of Public and Assisted Housing

Residents of public and assisted housing are stakeholders with HUD in that they receive rental assistance from HUD. These residents are therefore encouraged to participate in the planning and execution of the CDBG program, because they are also eligible to benefit from the expenditure of HUD federal funds.

Environmental Review

In certain instances, the participation consists of the publication of specific actions/findings, including a description of the project, its locations, submission of relevant data to applicable local, state and federal agencies for review and comment, and the City's Certified Environmental Officer's approval of federal environmental findings relating to the Request for Release of funds from HUD.

Plans to Minimize Displacement of Persons and to Assist any Persons Displaced

The City of Thornton in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the 1988 Common Rule, and the 1989 Barney Frank Act, will provide relocation assistance, as described in 24 CFR 570.606(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a

low/moderate-income dwelling to another use as a direct result of assisted activities.

The City of Thornton will include, but not be limited to, the following steps to minimize the displacement of persons from their homes:

- 1) Avoid, as much as possible, AAP funded project activities that permanently displace persons from their homes.
- 2) Fully advise any residents who may be displaced of their rights and options for relocation benefits as required by federal regulations.
- 3) Assist displaced residents in filling out any required forms for assistance or to appeal City decisions regarding displacement or the level of relocation benefits.

Technical Assistance

City staff may conduct an application workshop, and/or provide direct technical assistance to applicants to submit a funding proposal, ask questions about the grant, or discuss potential projects; per 24 CFR Part 91.105 (i). Applicants may request one-on-one technical assistance sessions with City CDBG staff. The City will make a good faith effort to see that reasonable requests for technical assistance are responded to in a timely manner.

Certifying Officers

The Thornton City Charter identifies the City Manager as the chief administrative officer of the City government, conveying the authority and responsibility of overseeing the administration of the City departments and administering the budget and related programs as adopted under policies formulated by the Council. For the CDBG program, the City of Thornton's primary elected official/certifying officer is the City Manager. The City Manager will sign documents and HUD forms that will have a legal or financial impact on the CDBG program or the City of Thornton, and those that have been approved through a public participation process.

Under the City's Administrative Directive 1-4 Delegation of Authority, the City Manager can delegate the administrative authority to the Department Directors in certain matters, to ensure the smooth and timely flow of information and documentation within and between the City, its employees, applicants for employment, contractors, suppliers, and outside service providers. To ensure the City meets the timing requirements of the CDBG program, the City Manager may also direct the Deputy City Manager of City Development or the acting City Manager to sign CDBG forms and documents on behalf of the City Manager. For example, administrative forms and certification may be signed by the Deputy City Manager of City Development.

Complaints and Grievances

It is the policy of the City of Thornton to take reasonable steps to address concerns expressed by citizens and to respond to any formal complaints or grievances in a timely manner, per 24 CFR

Part 91.105(j).

Citizens should bring any concerns they may have regarding the CDBG program, plans, policies, or projects to the attention of the City of Thornton, Parks, Recreation & Community Programs Department, Community Connections Division at 9471 Dorothy Blvd., Thornton, CO, 80229 or via email at: cdbg@ThorntonCO.gov. Further, the Grant and Housing Supervisor may also be reached at (720) 977-5800.

Unresolved issues, complaints, or grievances may be formally submitted to the Park, Recreation, and Community Programs Director. The grievance and/or request must be written, legible, and is strongly urged to follow these guidelines:

- 1) The written correspondence must be signed, dated, and indicate if the correspondent is representing his/her personal concerns or those of a larger group, in which case, the name and description of the group must be stated.
- 2) The written correspondence must contain contact information including the person or organization's name, address, phone number, email address, and if the organization has fax, the fax number.
- 3) The written correspondence must clearly identify the specific complaint or grievance and should state what corrective action is being sought.

It is anticipated that presented concerns can be addressed through direct conversation. Should a written response be requested, the City will provide timely written answers to the written correspondence that follow the guidelines listed above. The time required to respond may vary depending upon the nature and complexity of the specific complaint. Where practicable, written answers will be provided within 15 working days of the receipt of the written complaint.

If complainants are not satisfied with the City's response, a written complaint may be submitted to the HUD Regional Office at:

Erik Amundson, Deputy Regional Administrator
U.S. Department of Housing and Urban Development
Denver Regional Office
1670 Broadway, 25th Floor
Denver, CO 80202-4801

Effective Date and Amendments

The original City of Thornton Citizen Participation Plan was approved on December 1, 2009 by the Thornton City Council. This document supersedes all previous versions of the CPP. Amendments to the CPP are noted below.

- 1) December 18, 2012, to incorporate the City's charter and general administrative updates.

- 2) December 17, 2013, to clarify processes and procedures.
- 3) May 26, 2015, to incorporate changes necessary to align with existing HUD definitions, new HUD procedures, and City policies; to clarify expectations so the community has more information as to participation processes; and to define the difference between a substantial change to the Consolidated Plan and Annual Action Plan versus one for the Citizen Participation Plan.
- 4) December 19, 2016, to update the effective dates of the program year from March 1 – February 28 to July 1 – June 30.
- 5) January 10, 2020, to update contact information to reflect the change in CDBG administration from the Neighborhood Services Division to Community Connections.
- 6) April 28, 2020, First Substantial Amendment to incorporate the emergency waivers provided by HUD to address the COVID pandemic including shortened notification periods, virtual meetings, and electronic notices.
- 7) July 26, 2022, Second Substantial Amendment adding thresholds for funding adjustments not requiring a substantial amendment to an Annual Action Plan; and minor amendments including the simplification of format and text, clarification of the public notice periods, the addition of the definition of “Projects”, updating the accessibility section, removal of the waivers provided for the pandemic.
- 8) December 13, 2022, Third Substantial Amendment adding the requirement for an additional public hearing during the development of the ConPlan and/or AAP.
- 9) January 23, 2024, Fourth Substantial Amendment clarifying the criteria for initiating the Substantial Amendment Process for the Annual Action Plan, specifically criteria number 5.