



# Henrico County

## Citizen Participation Plan

### For the Use of CDBG, HOME, and ESG Program Funds

#### **INTRODUCTION**

The County of Henrico (County) is an entitlement jurisdiction and, as such, receives entitlement grant funding from the U.S. Department of Housing and Urban Development (HUD).

The federal entitlement grant funds include: Community Development Block Grant (CDBG); HOME Investment Partnerships Program (HOME); and Emergency Solutions Grant (ESG).

As an entitlement jurisdiction, the County is required to prepare a Five-Year Consolidated Plan (Consolidated Plan), an Annual Community Development Action Plan (Annual Action Plan), and a Consolidated Annual Performance and Evaluation Report (CAPER).

In addition, as required by the U.S. Department of Housing and Urban Development (HUD) Code of Final Regulations for the Consolidated Plan (24 CFR Part 91.105), the County must adopt a Citizen Participation Plan (CPP) setting forth the County's policies and procedures for citizen participation. This CPP establishes standards for the County to provide for and encourage citizens and entitlement grant beneficiaries to participate in the planning, execution, and evaluation of the Consolidated Plan, Annual Action Plans, and CAPERs.

This Citizen Participation Plan has been updated as of May 1, 2020 to reflect new federal requirements that allow shorter public comment periods during periods of national, state, or local emergency and to also allow for virtual public meetings.

#### **DEFINITIONS**

**Amendment, Minor:** A change to a previously adopted Five-Year Consolidated Plan or Annual Action Plan that does not meet the thresholds to qualify as a Substantial Amendment. This includes:

- Monetary changes or shifts, regardless of size that are: (1) necessary for substantially preserving all the programs and activities identified in an Action Plan; and (2) when circumstances required development and submission of an Action Plan based on entitlement estimates and actual entitlement amounts differed significantly.
- Updates to Consolidated Plan data including, but not limited to, census data, income limits, fair market rents, and HOME high/low market rents.
- Changes in location of an approved project or activity so long as the purpose, scope and intended beneficiaries remain constant.
- Transfer of entitlement funds amongst program years' budget lines for synonymous projects or activities.
- Transferring funds to a different subrecipient for the same program or project with equivalent program guidelines and requirements.
- Updates to Impediments to Fair Housing Choice and recommendations to address such Impediments as provided in the most recent applicable *Analysis of Impediments to Fair Housing Choice* (AI) or *Analysis of Fair Housing* (AFH) document.

**Amendment, Substantial:** A change to a previously adopted Five-Year Consolidated Plan or Annual Action Plan, including the reprogramming of funds left unexpended from previous activities, that:

- Increases or decreases the amount allocated to a current project or activity by more than 25% provided that amount is more than \$50,000.
- Funds a new project or activity in excess of \$30,000.
- Makes a significant change to the purpose, scope, or proposed beneficiaries of a previously approved project or activity.

**Analysis of Impediments to Fair Housing Choice (AI):** An AI is a document that provides an assessment of a state or a unit of local government’s laws, ordinances, statutes, and administrative policies as well as local conditions that affect the location, availability, and accessibility of housing. The development of the AI generally coincides with the development of the Consolidated Plan. At some point in the future, the AI will likely be replaced by an Assessment of Fair Housing (AFH). HUD has not announced a date when the AFH will be required.

**Annual Action Plan:** The Annual Action Plan describes the activities to be undertaken in the upcoming Program Year (PY) that meet the goals in the approved Consolidated Plan and utilize the annual funding provided to the County by HUD.

**Citizen Participation Plan (CPP):** The CPP provides standards by which citizens are encouraged to participate in the development, planning, execution, and evaluation of the Consolidated Plan, any substantial amendments to the Consolidated Plan, the Annual Action Plans, and the CAPERs.

**Community Development Block Grant (CDBG):** The CDBG program provides communities with resources to address a wide range of housing and community development needs that benefit low- and moderate-income persons through decent housing, suitable living environments, and expanded economic opportunities.

**Consolidated Annual Performance and Evaluation Report (CAPER):** HUD requires the County to prepare a CAPER at the end of each program year. The CAPER assesses the County’s annual achievements relative to the goals in the Consolidated Plan and the proposed activities in the Annual Action Plan.

**Department of Housing and Urban Development (HUD):** HUD is the federal government agency that creates and manages programs pertaining to homeownership, affordable housing, fair housing, homelessness, and community and housing development.

**Displacement:** Displacement refers to the involuntary relocation of individuals from their residences due to housing development and rehabilitation activities paid for by federal funds.

**Eligible Activity:** Activities that are allowable uses of the three federal funds (CDBG, HOME, and ESG) covered by the Citizen Participation Plan as defined in the Code of Federal Regulations Title 24 for the Department of Housing and Urban Development.

**Emergency Solutions Grant (ESG):** The ESG program provides resources to assist individuals and families to quickly regain stability in permanent housing after experiencing a housing crisis or homelessness. ESG funds are authorized and intended for rapid rehousing, homelessness prevention, and emergency shelter.

**Five-Year Consolidated Plan (Consolidated Plan):** HUD requires entitlement jurisdictions to prepare a Consolidated Plan every five years. The Consolidated Plan identifies housing, economic, and community development needs and prioritizes funding to meet those needs.

**Home Investment Partnerships Program (HOME):** HOME is designed exclusively to create or preserve affordable housing for low-income households. Activities include those that build, buy, and/or rehabilitate affordable rental or homeownership housing, or provide direct rental assistance to low-income people.

**Low to Moderate Income (LMI):** LMI is 0-80% of Area Median Income (AMI) for a jurisdiction as defined annually by HUD. In addition, this includes those individuals presumed by HUD to be principally LMI (abused children, battered spouses, elderly persons, severely disabled adults, homeless persons, illiterate adults, persons living with AIDS, and migrant farm workers).

**Public Hearing:** Public hearings provide the public, specifically LMI individuals and households, to make public testimony or comment. Public hearings are advertised in local newspapers and made accessible to persons who do not speak English or who have a disability.

### ***ROLE, RESPONSIBILITIES, AND CONTACT INFORMATION***

The County of Henrico is the recipient of the federal entitlement grant funds listed above.

#### **Department of Community Revitalization**

The Department of Community Revitalization (DCR) serves as the Lead Agency for the administration of the County's HUD entitlement funds. The Department is responsible for informing citizens about the planning process, facilitating meetings, preparing the Annual Action Plan and the Five-Year Consolidated Plan, preparing amendments, developing the CAPER, developing the AI or AFH, providing opportunities for public comments, and all other program requirements.

Contact information for DCR:

Henrico County Dept. of Community Revitalization

Mailing Address: PO Box 90775, Henrico, VA 23273

Physical Address: 4905 Dickens Rd, Suite 200, Henrico VA 23230 (as of 6/1/2020)

804-501-7640

[revitalization@henrico.us](mailto:revitalization@henrico.us)

[henrico.us/revit](http://henrico.us/revit)

#### **Henrico County Board of Supervisors**

The Henrico County Board of Supervisors is the elected legislative body governing the County of Henrico. It is responsible for approving the County's Five-Year Consolidated Plan, the Annual Action Plans, and substantial amendments to the Plans.

Board meetings are generally held on the second and fourth Tuesday of each month beginning at 7 pm. The meetings are held in the Board Room, Administration Building of the Western Government Center at 4301 E. Parham Road. All Board meetings are held in facilities that are accessible to persons with disabilities.

#### **County Manager**

The County Manager is appointed by the Board of Supervisors as the administrative head of the county government and is responsible for the County's general government operations.

The County Manager is responsible for signing the funding agreements, SF 424 Application for Federal Assistance, non-state grantee certifications, subrecipient agreements, and is the Certifying Officer for environmental review records.

## ***CITIZEN PARTICIPATION POLICIES***

### **Availability of Draft and Approved Documents**

The draft and final versions of the Consolidated Plan, Annual Action Plan, CAPER, and all related amendments will be available online at the County's Department of Community Revitalization website [henrico.us/revit](http://henrico.us/revit). Hard copies of all documents will be available at the offices of DCR, 4905 Dickens Rd, Suite 200, Henrico VA 23230 (as of 6/1/2020), during regular business hours. Internet access is available at all County public libraries.

The draft Consolidated Plans, draft Annual Action Plans, and draft substantial amendments will be made available for public review and comment for a minimum of 30 days prior to their submission to HUD.

The draft CAPER will be available for public review and comment for a minimum of 15 days prior to its submission to HUD.

Public comment periods may be shortened or eliminated should HUD issue a waiver to such requirements in order to more expediently provide funds during times of urgent need.

Previously submitted plans and amendments will be available to residents, public agencies, and other interested parties. Final Plans, CAPERs, and amendments will be available on the County's website at [henrico.us/revit](http://henrico.us/revit) and at the offices of the Department of Community Revitalization within 15 days of submission to HUD.

### ***PUBLIC HEARINGS***

The County will hold a minimum of two (2) public hearings each year to obtain comments and questions from citizens and other stakeholders on the Five-Year Consolidated Plan and the Annual Action Plan.

The first will be held during the development of the Five-Year Consolidated Plan or Annual Action Plan (Needs Public Hearing) in order to receive input from citizens and stakeholders on the housing and community development needs of the County, particularly for low- or moderate-income citizens. Comments regarding the previous year CAPER will be solicited at this meeting. Additional Needs Public Hearings may be held as determined by DCR staff. Hearings will be held either on weekday evenings no earlier than 5:00 pm or on Saturday mornings. Additional meetings may be held at other times on weekdays in order to provide additional opportunities for public input.

The final public hearing will be hosted by the Henrico County Board of Supervisors during a regularly scheduled Board meeting (Board of Supervisors Public Hearing) and will give citizens the opportunity to give input on the proposed Consolidated Plan/Annual Action Plan and proposed annual CDBG, HOME, and ESG budgets.

Public hearings will be held at accessible locations within the County. Assistance to disabled persons or those with limited English proficiency will be provided upon request, with at least three (3) business days prior notification to the Department of Community Revitalization.

## **VIRTUAL HEARINGS**

Henrico County will hold at least two in-person public hearings each year except in event of a local or state declared emergency. Virtual meetings may be held online if a local or state emergency prevents staff or citizens from gathering in person or to provide additional opportunities for citizen participation during times of normal operation. Virtual meetings will be conducted online using software that is free for participants and provides the ability for participants to ask questions in real time and for answers to be provided to all attendees. The software will allow accessibility for persons with disabilities and those with limited English proficiency.

When virtual meetings are held in place of either or both of the two required public hearings, the meetings will be recorded and posted online.

## **NOTICE OF HEARINGS AND REVIEW PERIODS**

A public review period of not less than thirty (30) days will be provided for each Consolidated Plan, Annual Action Plan, and substantial amendment to enable the public to provide comments prior to submission of the approved document to HUD, except as noted above in Availability of Draft and Approved Documents.

The County will establish a public review period of not less than fifteen (15) days for each CAPER to allow for public comments prior to submission of the approved document to HUD.

Notices of public hearings, the availability of draft documents, and comment periods will be distributed, published, and posted on the Department of Community Revitalization website at [henrico.us/revit](http://henrico.us/revit). Notices will be distributed and published at least ten (10) and not more than fourteen (14) days before the public hearings and will include the subject, time, and location of the hearing as well as information regarding how to request accommodation and services available for persons with disabilities who wish to attend the public hearings.

Newspaper postings of the notices for the Consolidated Plan, Annual Action Plan, CAPER, and substantial amendments will be provided in the *Richmond Times-Dispatch*. As budget allows, advertisements will be placed for at least one day in additional newspapers including the *Henrico Citizen* and other weekly and bi-weekly newspapers targeting minority populations. As budget allows, display ads will be used rather than legal notices or classified ads.

Public notices of comment periods will announce the availability of relevant draft documents for public review and will include a description of the document purpose. The notices will describe how to obtain a copy of the document for review and clearly list all scheduled hearings with dates, times, and locations. The notices will include information on how to access documents online and list locations where hard copies will be available.

Notices will be sent to an e-mail distribution list maintained by the Department of Community Revitalization. Members of the public may be added to this distribution list by contacting the Community Development Division at 804-501-7640 or via email at [revitalization@henrico.us](mailto:revitalization@henrico.us). Although the County will prioritize the use of email to distribute the public notices to residents, it will continue to send hard copies via U.S. Postal Service to residents with no email access, upon request.

The County will consider comments and views expressed by residents, public agencies, and other interested parties either in writing or orally at public meetings or other events. In each Five-Year

Consolidated Plan, Annual Action Plan, CAPER, or substantial amendment submitted to the U.S. Department of Housing and Urban Development (HUD), the County will provide as an attachment a summary of all comments received either orally or in writing during the applicable 30-day or 15-day public review period, the County's subsequent action, and the reasons for non-action, if none was taken. This information will also be made available to the public as part of the final document.

#### ***NOTICE OF HEARINGS – MINOR AMENDMENTS***

Minor amendments to the Consolidated Plan or Annual Action Plan require no public notifications, public hearings, and public body approvals as specified in this CPP.

#### ***DISPLACEMENT POLICY***

Projects and activities funded with CDBG, HOME, or ESG funds will be planned in order to prevent displacement of low- or moderate-income residents. In the event displacement occurs, the County will notify affected persons and provide assistance consistent with the provisions of the Federal Uniform Relocation Act and all other applicable governmental regulations.

#### ***AVAILABILITY OF AND ACCESS TO RECORDS***

Information on the County's Consolidated Plans, including records or documents covering the previous Consolidated Plans, the current Consolidated Plan, Annual Action Plans, and CAPERs will be posted on the Department of Community Revitalization website at [henrico.us/revit](http://henrico.us/revit), and will be made available for citizen review during normal working hours at the Department of Community Revitalization, 4905 Dickens Rd, Suite 200, Henrico VA 23230 (as of 6/1/2020), and upon written or oral request addressed to the Community Development Division at 804-501-7640 or [revitalization@henrico.us](mailto:revitalization@henrico.us). Documents prior to 2011 are not available online. Contact the Department of Community Revitalization to determine availability. If the County is unable to provide immediate access to the documents requested, the County will make every effort to provide the documents and reports within ten (10) days from the receipt of the request.

#### ***TECHNICAL ASSISTANCE***

The County will, to the extent practicable, respond to requests for technical assistance by groups representing persons of low- and moderate-income developing funding proposals for any program covered by the Consolidated Plan in accordance with grant procedures. This may include, but is not limited to, providing information regarding how to fill out applications, other potential funding sources, and referrals to appropriate agencies within and outside the County. "Technical assistance," as used here, does not include the provision of funds to groups requesting such assistance. Assistance will also be provided to interested individuals and citizens' groups who need further explanation on the background and intent of the Housing and Community Development Act of 1974, Title II of the Cranston-Gonzalez National Affordable Housing Act, the Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act), other legislation governing HUD programs, interpretation of specific HUD regulations, and project eligibility criteria for federal grants.

#### ***COMMENTS/COMPLAINTS***

Comments or complaints from residents, public agencies, and other interested parties regarding the

Consolidated Plan or related amendments and performance reports may be submitted in writing to the Henrico County Department of Community Revitalization, PO Box 90775, Henrico, VA 23273-0775 or via email at [revitalization@henrico.us](mailto:revitalization@henrico.us).

Written comments or complaints will be referred to appropriate County staff for consideration and response. The County will provide substantive, written responses to all comments or complaints within fifteen (15) business days of receipt.