



### **Jefferson County, Alabama Citizens' Participation Plan**

The Housing and Community Development Act of 1974 became law in August 1974. In October 1977, President Carter signed the Housing and Community Development Act of 1977, which amended the 1974 Act. However, the objective of the legislation remains, as before, to develop viable urban communities, by expanding economic opportunities and providing decent housing and a suitable living environment, principally for persons of low and moderate income. Another equally important objective is to help elderly groups and disabled persons.

Jefferson County is eligible to participate in the Community Development Block Grant (CDBG) Program under a special provision for "Urban Counties." Urban Counties are those with a minimum population of 200,000 persons or more. In order to meet the population requirement, a consortium of thirty-four Jefferson County cities were assembled, excluding the cities of Birmingham, Bessemer, and County-Line. They are as follows:

Adamsville	Hueytown	Mulga	County Line
Brighton	Irondale	Pleasant Grove	
Brookside	North Johns	Sylvan Springs	
Cardiff	Kimberly	Tarrant	
Center Point	Leeds	Trafford	
Clay	Lipscomb	Trussville	
Fairfield	Fultondale	Maytown	
Vestavia Hills	Gardendale	Midfield	
Warrior	Graysville	Morris	
Homewood	Pinson	Mountain Brook	
West Jefferson	Hoover	Argo	

The Community Development Block Grant program has been operating in Jefferson County since 1976; the Emergency Shelter Grant program since 1989; and the HOME program since 1992. These programs are part of a consolidated planning and application process and they require a written Citizen Participation Plan. This Plan describes the process for involving citizens

in the establishment and priorities of needs for the expenditure of funds, and the preparation of the Consolidated Plan and Action Plan.

The Consolidated Plan began with the 1995 Program Year. The applications for CDBG, HOME, ESG, as well as other Federal programs the County participates in, are included in one application. The citizen participation plan must provide for and encourage citizens to participate in the development of the Analysis of Impediments (AI) of Fair Housing Choice (Assessments of Fair Housing [AFH] after October 31,2020); any revisions to the Analysis of Impediments (AI) of Fair Housing Choice (Assessments of Fair Housing [AFH] after October 31,2020); the Consolidated Plan; any substantial amendment to the Consolidated Plan; and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those persons living in areas designated by the jurisdiction as a revitalization area or in a slum and blighted areas and in areas where CDBG funds are proposed to be used by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction must take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons as well as persons with disabilities. To accomplish this, the regulations require that the following:

- 1) Information on the program be supplied to citizens.
- 2) That at least two different public hearings be held during the AI (AFH after October 31,2020) and Consolidated Planning Process with one during development and one before the proposed plan is published.
- 3) That citizens have an opportunity to comment on the County's Assessments of Fair Housing, Consolidated Plan, Action Plan, and on the County's performance with the County responding to citizen comments.

## **Introduction**

The Office of Community Services and Workforce Development is the management arm of the Jefferson County Commission for all matters associated with the CDBG, HOME, and ESG programs. It provides, through close coordination and cooperation with the Commission and citizens, the means for developing plans, implementing projects, and analyzing performance of the programs.

Each municipality in the Consortium will be requested to designate an Advisory Council member to meet with the Office of Community Services and Workforce Development and make recommendations about the planning process. Persons from unincorporated areas of the County in addition to local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, non-profit organizations, philanthropic organizations, and community and faith-based organizations) will also be invited to participate in this process. This group shall include broadband internet service providers; organizations engaged in narrowing the digital divide; agencies whose primary responsibilities include the management of flood prone areas, public land, and water resources; and emergency management agencies in the process of developing the consolidated plan. This group will be known as the Technical Advisory

Committee. It will meet at least twice during the Program Year. The primary purpose of this group will be to advise the Office of Community Services and Workforce Development. They will have no funding authority. In addition to the Advisory Council and the Technical Advisory Committee, the Office of Community Services and Workforce Development continues to explore and utilize alternative public involvement techniques and quantitative ways to measure efforts to encourage citizen participation in a shared vision for change in communities and neighborhoods and the review of program performance including focus groups and the internet as applicable. All applications for financial assistance from an incorporated municipality, which involves construction activities, will have to be coordinated through the mayor. Unincorporated areas may submit applications directly to the Office of Community Services and Workforce Development.

## **Public Hearings**

In addition to the two (2) Technical Advisory Committee meetings, Jefferson County will hold public hearings at two (2) different times during the Assessments of Fair Housing, Consolidated Plan and Action Plan process with one (1) during development and one (1) before the proposed plan is published. The first series of meetings will be held early in the planning stage and the last series will be held before the publication of a summary of the proposed plan in local newspapers. Public hearings are normally held at the Jefferson County Office of Community Services and Workforce Development during working hours, but as a special case, may be held at various locations around the County to give more citizens the opportunity to attend. The County will make accommodations accessible to any citizens including persons with disabilities.

The meetings shall address housing and community development needs; development of proposed activities; and in at least one series of meetings, to review program performance. The hearings are to obtain the views of citizens on housing and community development needs, including priority non-housing community development needs.

## **Housing Authorities**

The County shall work with area Housing Authorities to encourage the participation of residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) in the Assessments of Fair Housing, Consolidated Plan and Action Plan process. The County shall also provide information to the housing agencies about housing and community development plan activities related to its developments and surrounding communities so that the housing agency can make this information available at any public hearing required under the Public Housing program.

## **Provision of Program Information**

At each public hearing Jefferson County will make available to citizens and public agencies, information on the amount of Federal assistance (including grant funds and program income) and the number of years the County expects to receive it; the range of eligible activities; a summary of past activities; and the number of activities that will benefit low, very low, and extremely low-income persons. As soon as feasible after the start of the public participation process, Jefferson

County will make the HUD-provided data and any supplemental information that is planned to be incorporated into the Analysis of Impediments (AI) of Fair Housing Choice (Assessments of Fair Housing [AFH] after October 31,2020) available to its residents, public agencies, and other interested parties. HUD-provided data may be made available to the public by cross-referencing to the data on HUD's web site.

### **Disclosure of Program Records**

Jefferson County will maintain at all times information and records on the Consolidated/Action Plan and the use of assistance for the previous five (5) years. This information will be available for public review at the Jefferson County Office of Community Services and Workforce Development. However, some records, such as applications, deal with personal income and other information on individuals and must therefore be kept confidential. With the exception of these, all records of program activity are available for review at the Office of Community Services and Workforce Development during normal working hours. The Citizen Participation Plan and the Consolidated/Action Plan will be available in printed form.

### **Public Notification of Program Action**

Notice of the public hearings for the Assessments of Fair Housing, Consolidated Plan, and Action Plan process will be publicized in a manner appropriate to the area where the hearing will be held and can include posting of notices locally; radio and television public service announcements; announcements to local churches; and mailed notices. Notification will also be sent to participating local governments. All notifications shall contain an explanation of the subject and scope of the hearings at least 15 days prior to the public hearing.

### **Availability of the Draft Consolidated/Action Plan**

A summary of the Draft Assessments of Fair Housing, Consolidated Plan, and /Action Plan will be published in at least one (1) local newspaper of general circulation; one (1) minority newspaper; and one (1) or more non-English newspapers as required by the Limited English Proficiency (LEP) Plan prior to the final series of public hearings on the Plans. Notification that the County will accept comments on the plan for 30 days will also be included in the publication. The publication will include a listing of public hearings to be held on the draft, as well as their times and locations. Notification will be made of the availability of the complete plan for public review at the Jefferson County Office of Community Services and Workforce Development and at least seven (7) public libraries whose locations are geographically dispersed throughout the County.

The adopted Consolidated/Action Plan, any amendments to the Plan, and the Annual Performance Report will be available to the public at the Office of Community Services and Workforce Development in addition to being posted on the Jefferson County Commission website.

### **Grantee Performance Report**

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Notification of the availability of the Annual Grantee Performance Report shall be published in at least one (1) newspaper of general circulation; one (1) minority newspaper; and one (1) or more non-English newspapers as required by the Limited English Proficiency (LEP) Plan. The report will be available at the Office of Community Services and Workforce Development. Comments will be accepted on the Plan for a period of 15 days following the publication of the notice.

### **Citizen Participation Plan**

Jefferson County shall publish the proposed Citizen Participation Plan in one (1) newspaper of general circulation; one (1) minority newspaper; and one (1) or more non-English newspapers as required by the Limited English Proficiency (LEP) Plan in addition to sending notification of its availability to area governments and such non-profit organizations and citizens groups as it deems appropriate. The Citizen Participation Plan shall be available in the Jefferson County Office of Community Services and Workforce Development in printed form and will be made available in a format accessible to persons with disabilities upon request. The Citizen Participation Plan will be posted to Jefferson County Commission's website. The County will receive comments on the Citizen Participation Plan for a period of 15 days after the publication of the Plan.

Substantial Amendments to Citizen Participation Plan shall be published in one (1) local newspaper of general circulation; one (1) minority newspaper; and one (1) or more non-English newspapers as required by the Limited English Proficiency (LEP) Plan and the County shall receive comments for a period of 15 days. The County shall also provide appropriate units of local government with notification of the proposed change.

### **Limited English Proficiency (LEP) Plan**

In accordance with federal guidelines, the Jefferson County Office of Community Services & Workforce Development will make reasonable efforts to provide or arrange for free language assistance for its LEP clients, including applicants, recipients and/or persons eligible for its services and programs. Jefferson County Office of Community Services & Workforce Development will maintain an LEP Plan. The LEP Plan shall be available in the Jefferson County Office of Community Services and Workforce Development in printed form and will be made available in a format accessible to persons with disabilities upon request. The LEP Plan will be posted to Jefferson County Commission's website. The LEP Plan will utilize a four-factor analysis to determine meaningful access including the number or proportion of LEP persons eligible to be served or likely to be encountered; the frequency with which LEP persons using a particular language other than English come into contact with the Office of Community Services and Workforce Development; the nature and importance of the Office of Community Services and Workforce Development's program/activity/service to the person's life; and the resources available and cost of providing meaningful access. The threshold for triggering LEP compliance is at least 5% LEP population or more than 1,000 persons.

Office of Community Services & Workforce Development staff will take reasonable steps to provide the opportunity for meaningful access to LEP clients who have difficulty communicating in English. If a client asks for language assistance and/or the Office of Community Services & Workforce Development determines that the client is an LEP person and that language assistance is necessary to provide meaningful access, the Office of Community Services & Workforce Development will make reasonable efforts to provide free language assistance. If reasonably possible, the Office of Community Services & Workforce Development will provide the language assistance in the LEP client's preferred language. The Office of Community Services & Workforce Development has the discretion to determine whether language assistance is needed, and if so, the type of language assistance necessary to provide meaningful access. The Office of Community Services & Workforce Development will periodically assess client needs for language assistance based on requests for interpreters and/or translation, as well as the literacy skills of the clients.

The Office of Community Services & Workforce Development will weigh the cost and benefits of translating documents for potential LEP groups considering the expense of translating the documents; the barriers to meaningful translation or interpretation of technical housing information; the likelihood of frequent changes in documents; the existence of multiple dialects within a single language group; the apparent literacy rate in a LEP group; and other relevant factors. The Office of Community Services & Workforce Development will undertake this examination when an eligible LEP group constitutes five (5) percent of an eligible client group.

When necessary to provide meaningful access for LEP clients, the Office of Community Services & Workforce Development will provide qualified interpreters, contract vendors, if available. At important stages that require one-on-one contact, written translation and verbal interpretation services will be provided consistent with the four-factor analysis used earlier. An LEP person may use an informal interpreter of his or her own choosing and at their expense, either in place of or as a supplement to the free language assistance offered. However, in many circumstances, informal interpreters, especially children, are not competent to provide quality and accurate interpretations. There may be issues of confidentiality, competency, or conflict of interest.

### **Relocation Information**

The County will seek to minimize the displacement of persons. If displacement is to occur, the affected persons will be notified of the type and levels of assistance available prior to the County taking any action on the displacement. Any actions will be accomplished in accordance with the Uniform Relocation Act, as amended.

Technical assistance will be provided to non-profit organizations and citizens' groups representing low, very low, and extremely-low income people in preparing applications for funding under the programs covered in the County's Consolidated/Action Plan.

The reasons for which any technical assistance will be provided are:

- 1) To aid groups of low and very low-income persons and groups residing in

- blighted neighborhoods to prepare proposals and statements of views.
- 2) To provide assistance to non-profit groups that serve low and very low-income groups to prepare proposals.

Provision of technical assistance will not be a guarantee of funding. To obtain assistance, requests must be made to the Jefferson County Office of Community Services and Workforce Development within the Open Season date and/or the published cut-off time for application submission. The Jefferson County Commission will have final decision on the funding of any specific project that meets program eligibility.

Jefferson County will consider all comments or views received and respond to all written inquiries and written complaints on the Citizen Participation Plan, Assessments of Fair Housing, the Consolidated Plan, Action Plan, any substantial amendments to the Plans, and the Annual Performance Report. Response will be made within 15 working days of receipt of the comments. In cases where the address is not known of the person commenting, responses will remain on file at the Office of Community Services and Workforce Development.

## **Complaints**

Jefferson County will accept complaints and criticisms on the CDBG, HOME, and ESG programs; the Consolidated/Action Plans; amendments and the Performance Report at any time. The County will respond to any written citizen complaint within 15 working days from the time of receipt. The procedure for responding to criticisms of the Program will be handled as follows:

Complaints and grievances may be filed by any individual or group; a municipality; the County Commission; the Office of Community Services and Workforce Development; the U.S. Department of Housing & Urban Development's Area Office; and any agency of the Federal Government, any member of Congress, or the Office of the President. Regardless of the origin of the complaint, or the first point of filing, it shall be reduced to writing, then based upon origin, it will be returned to the local government having direct jurisdiction.

If the complaint is based on a matter involving the Jefferson County CDBG Program or other Consolidated/Action Plan Programs, the Office of Community Services and Workforce Development, must be notified and will coordinate the local review and possible resolution of the complaint or grievance. Upon notification, the Office will insure that a complete and accurate response is made to the complainant within 15 days to discuss the matter. The major responsibility of the Office is to determine the functional and legal origins of the complaint to address the validity of each and to verify the geographical origin.

Complaints arising in municipalities in the Consortium and particularly those which involve direct concern with municipal policy or administration shall be initially handled at the municipal level, with the assistance of the Office of Community Services and Workforce Development. Should the complaints not be resolved at that level, the matter shall be referred to the County Commission. A complete record of correspondence, meetings, and research information shall be forwarded to the Commission upon referral. It shall not be the policy of the Office of

Community Services and Workforce Development to deal with complaints without the knowledge and direct involvement of local elected officials having jurisdiction, but the Office will provide staff support and technical assistance during the local review in a city or in the county.

If, after review and investigation at each level, the complainant is not satisfied with the outcome or does not voluntarily withdraw the complaint, he or she may proceed to the next level or other forms of relief.

### **Internal Complaint Procedure**

All complainants shall be directed to the office of the Director of Jefferson County's Office of Community Services and Workforce Development. The Director's office will direct the complaint to the appropriate division or office. The appropriate office shall respond to the complaint and notification shall be sent to the Director's Office that shall include a copy of the response.

### **Criteria for Substantial Amendments**

Amendments to the Assessments of Fair Housing, Consolidated Plan, and Action Plan: Jefferson County shall amend its Assessments of Fair Housing, Consolidated Plan, and Action Plan whenever a proposed activity is to be undertaken that is not covered by the Assessments of Fair Housing, Consolidated Plan, and Action Plan, or included in the approved Plan. Procedures for Amendments: The proposed amendment shall be published in one (1) local newspaper of general circulation, one (1) minority newspaper, and one (1) or more non-English newspapers as required by the Limited English Proficiency (LEP) Plan and the County shall receive comments for a period of thirty days. The County shall also provide appropriate units of local government with notification of the proposed change. Any comments or view of residents of the community received in writing, or orally at public hearings, if any, will be considered in preparing the substantial amendment of the consolidated plan or significant revision to the Assessments of Fair Housing. A summary of these comments or views and a summary of any comments or views not accepted and the reasons why, shall be attached to the substantial amendment of the consolidated plan or revision to the Assessments of Fair Housing. The following CDBG, ESG, and HOME activities shall constitute a "Substantial Amendment:"

- 1) Addition of a new activity or project not previously described in its Consolidated or Action Plan;
- 2) Deletion of an activity or project previously described in its Consolidated or Action Plan;
- 3) Change in the purpose, scope, location or beneficiaries of an activity or project previously described in its Consolidated or Action Plan;
- 4) Change in the use of CDBG funds from one eligible activity or project to another previously described in its Consolidated or Action Plan;
- 5) Change in an activity or project (previously described in its Consolidated or Action Plan); and/or



- 6) **Total dollar amount** allocated or budgeted by more than 25 percent.
- 7) If a material change occurs or upon HUD's written notification regarding the Analysis of Impediments (AI) of Fair Housing Choice (Assessments of Fair Housing [AFH] after October 31,2020)as noted in the Minimum Criteria for Revising the Assessments of Fair Housing.

### **Minimum Criteria for Revising the Analysis of Impediments (AI) of Fair Housing Choice (Assessments of Fair Housing [AFH] after October 31,2020)(24 CFR 5.164)**

An AI (AFH after October 31,2020) previously accepted by HUD must be revised and submitted to HUD for review under the following circumstances:

- 1) A material change occurs: A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AI (AFH after October 31,2020) is based to the extent that the analysis; the fair housing contributing factors; or the priorities and goals of the AI (AFH after October 31,2020) no longer reflect actual circumstances. Examples include Presidentially declared disasters, under title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), in the program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; or
- 2) Upon HUD's written notification specifying a material change that requires the revision.

Revision shall be submitted within 12 months of the onset of the material change, or at such later date as HUD may provide. Where the material change is the result of a Presidentially declared disaster, such time shall be automatically extended to the date that is 2 years after the date upon which the disaster declaration is made

### **Amendments to CDBG-DR Action Plans**

As the program for CDBG-DR progresses Jefferson County may be required to make changes to this CDBG-DR Action Plan. If any substantial changes are needed such as a change in program benefit or eligibility criteria; the allocation or re-allocation of more than \$1 million; or the addition or deletion of an activity Jefferson County will prepare a Substantial Amendment to the CDBG-DR Action Plan and follow the required CDBG-DR Citizens' Participation process to provide for a reasonable public notice, review, and seven (7)-day comment period on the proposed changes prior to submittal to HUD.

If any non-substantial changes are needed Jefferson County will notify HUD at least five (5) days before the amendment becomes effective. Jefferson County is not required to undertake a public comment period for non-substantial amendments. However, all amendments to the Action Plan (substantial and non-substantial) will be numbered sequentially and posted on Jefferson County's website [www.jccal.org](http://www.jccal.org).

### **Use of the Citizen Participation Plan**

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Jefferson County shall follow the Citizen Participation Plan in the development of the AI (AFH after October 31,2020); any revisions to the AI (AFH after October 31,2020); the Consolidated Plan; any substantial amendment to the Consolidated Plan; and the performance reports.