



# CITY OF SANTA ANA

## Citizen Participation Plan

2020-2021 through 2024-2025

*U.S. Department of Housing and Urban Development (HUD)  
Community Planning and Development Grant Programs*

**April 21, 2020**



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# City of Santa Ana Citizen Participation Plan

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## CITIZEN PARTICIPATION PLAN

As required by the U.S. Department of Housing and Urban Development (HUD) regulations found at 24 CFR 91.105, this Citizen Participation Plan sets forth the City of Santa Ana's (City) policies and procedures for providing citizens and other interested parties with opportunities to participate in an advisory role in the planning, implementation, and evaluation of the Community Development Block Grant (CDBG) HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs. The purpose of the CDBG program is the provision of decent housing, a suitable living environment, and expanded economic opportunities for low- and moderate-income residents earning less than 80 percent of the Area Median income (AMI), or in predominately low- and moderate-income neighborhoods where at least 51 percent of the households are low and moderate-income households. The purpose of the HOME program is to produce new and preserve existing affordable housing opportunities. The purpose of the ESG program is to assist individuals and families quickly regain stability in permanent housing after experiencing a housing crisis or homelessness.

As a recipient of CDBG, HOME, and ESG funds, the City is required to produce the following Consolidated Plan Documents:

- Citizen Participation Plan – the City's policies and procedures for community participation in the planning, implementation, and evaluation of the CDBG, HOME, and ESG programs.
- Analysis of Impediments to Fair Housing Choice or Assessment of Fair Housing (AI or AFH) – a five-year plan completed by the City individually or as in the case of Santa Ana, as part of a local consortium of other HUD grantees pursuant to HUD guidance for the evaluation of local housing conditions, economics, policies and practices and the extent to which these factors impact the range of housing choices and opportunities available to all residents in an environment free from discrimination.
- Consolidated Plan – a five-year plan that documents the City's housing and community development needs, outlines strategies to address those needs and identifies proposed program accomplishments.
- Action Plan – an annual plan that describes specific CDBG, HOME, and ESG projects and activities that will be undertaken over the course of the program year, which runs from July 1 to June 30.

- Consolidated Annual Performance and Evaluation Report (CAPER) – an annual report that evaluates the City's accomplishments and use of CDBG funds.

The HUD requirements for citizen participation do not restrict the responsibility or authority of the City for the development and execution of the Consolidated Plan documents or the CDBG, HOME, and ESG programs, but rather facilitate citizen access to, and engagement with the CDBG, HOME, and ESG programs.

In accordance with the regulations, the minimum annual number of public hearings before the Santa Ana City Council and Community Redevelopment and Housing Commission at which citizens may express their views concerning the Consolidated Plan Documents shall be two (2) public hearings. These public hearings shall occur at two different points during the program year, as directed by the Executive Director of Community Development. Additional public hearings and comment periods may be held in the development of the AFH or AI and the Consolidated Plan for 2020-2024 and in the event of a substantial amendment to the Citizen Participation Plan, Consolidated Plan, or Action Plan becomes necessary as described later in this document. The City, at its discretion, may conduct additional outreach, public meetings or public hearings as necessary to foster citizen access and engagement.

#### **A. Encouraging Citizen Participation**

The City encourages citizens to participate in the development of the Citizen Participation Plan, Consolidated Plan, AFH or AI, Action Plan, and CAPER. The City encourages participation by low- and moderate-income persons, particularly those living in slum and blighted areas (if any such areas are formally designated) and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods. Low- and moderate-income neighborhoods are defined as those in which 51 percent of the residents have incomes at or below 80 percent of area median income. The City shall also take appropriate actions to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

The City shall make a concerted effort to notify and encourage the participation of citizens, local and regional institutions, the local Continuum of Care organization addressing homelessness, and public and private organizations including businesses, developers, nonprofit organizations, philanthropic organizations, community-based and faith-based organizations, 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, emergency management agencies, state and local health service providers, social service providers, fair housing organizations, state and local governments, public housing authorities, affordable housing developers, businesses, community and faith based organizations, and other stakeholders in the amendment of the Citizen Participation Plan or the development of the AI or AFH, Consolidated Plan, or Action Plans through mailings (including electronic mailings), online postings and public notices in the newspaper.

The City may also explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance as directed by the Executive Director of Community Development. All communication regarding the Citizen Participation Plan and the Consolidated Plan documents should be directed to:

City of Santa Ana  
Community Development Agency  
Attn: Executive Director of Community Development  
20 Civic Center Plaza, 6<sup>th</sup> Floor  
Santa Ana, CA 92702  
(714) 647-5360

## **B. Citizen Participation Plan**

The following describes the process and procedures related to the development of the Citizen Participation Plan.

### **1. Plan Development**

The City's Citizen Participation Plan development procedures are outlined below.

#### a. Plan Considerations

As a part of the Citizen Participation Plan process, and prior to the adoption of the Consolidated Plan, the City shall make available the information required by HUD. This information shall be made available to citizens, public agencies, and other interested parties.

#### b. Plan Review and Comment

The draft Citizen Participation Plan shall be made available for public review for a 30-day period. The Citizen Participation Plan shall be provided in a format accessible to persons with disabilities upon request. Such formats may include, but are not limited to those providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound.

The Citizen Participation Plan shall encourage comment and participation by minorities and non-English speakers. Publication of the availability of the draft plan shall be in accordance with the City's adopted Limited English Proficiency (LEP) Plan.

Written comments shall be accepted by the Executive Director of Community Development during the public review period. A summary of all written comments and those received during the public hearing as well as the City's responses shall be attached to the Citizen Participation Plan prior to submission to HUD.

c. Public Hearing

The City shall conduct a public hearing or meeting before the Community Redevelopment and Housing Commission (or a similar standing City Commission) to accept public comments on the draft Citizen Participation Plan, however final recommendations will be approved by the City Council. The City Council may approve or reject the Citizen Participation Plan, or approve the plan with modifications.

d. Submittal to HUD

The Citizen Participation Plan shall be approved as a stand-alone document. The City shall provide HUD with copies of the approved document, a summary of all written comments and those received during the public hearing as well as the City's responses and proof of compliance with the minimum 30-day public review and comment period requirement. A summary of any comments or views not accepted and the reasons therefore shall be included.

## **2. Citizen Participation Plan Amendments**

The City shall follow the following procedure to amend the Citizen Participation Plan, as necessary:

a. Amendment Considerations

The City shall amend the Citizen Participation Plan, as necessary, to ensure adequate engagement and involvement of the public in making decisions related to the programs and documents governed by 24 CFR Part 91. Formal amendment of the Citizen Participation Plan may be required should a provision of the Citizen Participation Plan be found by the City to conflict with HUD regulations.

b. Public Review and Comment

Amendments to the Citizen Participation Plan shall be made available for public review for a 30-day period. A public hearing shall be conducted so that citizens may express their views. Written comments shall be accepted by the Executive Director of Community Development during the public review period. A summary of all written comments and those received during the public hearing as well as the City's responses shall be attached to the amended Citizen Participation Plan prior to submission to HUD.

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, in a memorandum dated March 31, 2020, HUD has waived 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 to allow the City to determine

what constitutes reasonable notice and opportunity to comment given their circumstances. The City has determined that 5 days constitutes reasonable notice and opportunity to comment given the circumstances surrounding the COVID-19 pandemic. The waiver is in effect through the end of the 2020 program year.

Minor edits to the plan, such as updating contact information, will not constitute a "Substantial Amendment", and therefore, will not be released for public review and comment. Copies shall be made available following the process described in Section G of this document.

c. Public Hearing

The City shall conduct a public hearing to review and accept public comments on the draft amendment to the Citizen Participation Plan.

If required due to a local, regional, or national disaster event, public hearings may be held virtually in a structure as established by the City Clerk and allowed by the U.S. Department of Housing and Urban Development via waiver or other authorization. The City will ensure the public hearing is structured in a manner that will still allow for reasonable access and participation in the meeting.

d. Submittal to HUD

A copy of the Citizen Participation Plan, including a summary of all written comments and those received during the public hearing as well as the City's responses and proof of compliance with the minimum 30-day public review and comment period requirement shall be submitted to HUD for their records. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as applicable.

### **C. Five-Year Consolidated Plan**

The following paragraphs describe the policies and procedures for the development of the Five-Year Consolidated Plan. To comply with 24 CFR Part 91.105(b), the information supplied in the draft Consolidated Plan for public review shall include:

- The amount of assistance the City expects to receive (grant funds and program income);
- The range of activities that may be undertaken; and
- The estimated amount of funding that will benefit low- and moderate-income persons.

The City shall also provide an assessment of community development and housing needs, identify short term and long-term community development objectives directed toward the provision of decent housing and the expansion of economic opportunities primarily for persons of low- and moderate-income.



Additionally, the City shall attest to its compliance with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24, as effectuated by the City's adopted Residential Anti-Displacement and Relocation Assistance Plan, as required under Section 104(d) of the Housing and Community Development Act of 1974, as amended. Persons displaced as a result of HUD-assisted activities, whether implemented by the City or by others, shall receive relocation benefits as required under Federal Law.

The City shall make this information available in the Consolidated Plan published for public review and comment.

## **1. Plan Development**

The City encourages the participation of residents and stakeholders in the development of the Consolidated Plan. The City shall implement the following procedures in the development and adoption of the Consolidated Plan:

### **a. Plan Considerations**

The City will make a concerted effort to notify and encourage the participation of citizens, local and regional institutions, the local Continuum of Care organization addressing homelessness, and public and private organizations including businesses, developers, nonprofit organizations, philanthropic organizations, community-based and faith-based organizations, 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, emergency management agencies, state and local health service providers, social service providers, fair housing organizations, state and local governments, public housing authorities, affordable housing developers, businesses, community and faith based organizations, and other stakeholders in the development of the Consolidated Plan through mailings (including electronic mailings), online postings and public notices in the newspaper.

When preparing the portion of the Consolidated Plan describing the City's homeless strategy and the resources available to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) and persons at risk of homelessness, the jurisdiction shall consult with:

- The Orange County Continuum of Care (CoC);
- Public and private agencies that address housing, health, social service, victim services, employment, or education needs of low-income individuals and families; homeless individuals and families, including homeless veterans; youth; and/or other persons with special needs;
- Publicly funded institutions and systems of care that may discharge persons into homelessness (such as health-care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and



- Business and civic leaders.

When preparing the portion of the Consolidated Plan concerning lead-based paint hazards, the City shall consult with state or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.

When preparing the description of priority non-housing community development needs, the City shall notify adjacent units of general local government, to the extent practicable. The non-housing community development plan must be submitted to the State of California and to the County of Orange.

The City shall consult with adjacent units of general local government, including local government agencies with metropolitan-wide planning responsibilities to identify solutions to problems of a regional nature.

The City shall consult with the Housing Authority of the City of Santa Ana and the Orange County Housing Authority concerning public housing needs and planned programs and activities.

As recipients of Emergency Solutions Grant (ESG) funds, the City shall consult with the Continuum of Care in determining how to allocate its ESG grant for eligible activities; in developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and in developing funding, policies, and procedures for the operation and administration of the Homeless Management Information System (HMIS).

The City shall employ, at its discretion, a variety of methods to solicit input from these persons/service providers/agencies. These methods include, but are not limited to telephone or personal interviews, focus groups, surveys, internet-based feedback and consultation workshops.

#### b. Plan Review and Comment

The complete, draft Consolidated Plan shall be made available for public review for a 30-day period. The draft Consolidated Plan shall be provided in a format accessible to persons with disabilities upon request. Such formats may include, but are not limited to providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound.

The City shall encourage comment and participation by minorities and non-English speakers. Publication of the availability of the draft Consolidated Plan shall be in accordance with the City's adopted LEP Plan.

The City shall encourage comment and participation by low- and moderate-income residents, especially those living in low- and moderate-income neighborhoods, in areas where CDBG funds are proposed to be used and

residents of public and assisted housing. Activities to encourage participation may include, but are not limited to, advertising publication of the Consolidated Plan in target areas, hosting community meetings in target areas, and making copies of the Consolidated Plan available in these neighborhoods. Copies shall be made available following the process described in Section G of this document.

Written comments shall be accepted by the Executive Director of Community Development during the public review period. A summary of all written comments and those received during the public hearing as well as the City's responses shall be attached to the Consolidated Plan prior to submission to HUD.

c. Public Hearing

The City shall conduct a public hearing to accept public comments on the draft Consolidated Plan. Section G describes the process for publishing notice for and conducting public hearings.

d. Submittal to HUD

The Consolidated Plan shall be submitted to HUD with a summary of all written comments and those received during the public hearing as well as the City's responses and proof of compliance with the minimum 30-day public review and comment period requirement. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as applicable. The Consolidated Plan shall be submitted to HUD 45 days before the program year pursuant to regulations, or at such later date as prescribed by HUD.

## **2. Consolidated Plan Amendments**

The City shall follow the following procedure to complete substantial or minor amendments to the Consolidated Plan, as necessary:

a. Amendment Considerations

The City shall substantially amend the Consolidated Plan if a "substantial change" is proposed by City staff or the City Council. For the purpose of the Consolidated Plan, a "substantial change" is defined as:

- More than 30 percent of the most recent annual federal grant allocation is reallocated to other eligible program activities within the fiscal year. (Amended amounts will not be cumulative, that is, each amendment will stand on its own for purposes of determining the 30 percent threshold.)
- An activity is undertaken that was not previously included in the Consolidated Plan or subsequent annual plans

The City may make minor changes to the Consolidated Plan, as needed, so long as the changes do not constitute a substantial amendment as described above. Changes to numeric accomplishment goals within an existing Strategic Plan goal

shall not constitute a substantial amendment. Such minor changes to the Consolidated Plan do not require a public review and comment period or a public hearing.

b. Public Review and Comment

The City encourages residents and stakeholders to participate in the development of substantial amendments. Substantial Amendments to the Consolidated Plan shall be made available for public review for a 30-day period. Written comments shall be accepted by the Executive Director of Community Development or designee during public review period. A summary of the comments and the City's responses to the comments shall be attached to the Consolidated Plan Substantial Amendment.

Given the need to expedite actions to respond to COVID-19 in a memorandum dated March 31, 2020, HUD waived 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i). The 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 through the end of the 2020 program year.

The City shall encourage participation from all residents, especially low- and moderate-income residents, minorities, non-English speakers and those with disabilities. Copies shall be made available in accordance with the process described in Section G of this document.

c. Public Hearing

The City shall conduct a public hearing to accept public comments on the draft Substantial Amendment to the Consolidated Plan. Section G describes the process for publishing notice for and conducting public hearings.

d. Submittal to HUD

A copy of the Consolidated Plan Substantial Amendment, including a summary of all written comments and those received during the public hearing as well as the City's responses and proof of compliance with the minimum 30-day public review and comment period requirement shall be submitted to HUD for their records. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD. A copy of any minor amendments shall be submitted to HUD when required.

## **D. Action Plan**

The following describes the process and procedures related to the development of the Action Plan each year:

## 1. Plan Development

Each year, the City prepares an Action Plan listing the activities to be undertaken with Community Planning and Development (CPD) funds. The City shall implement the following procedures in the development and adoption of the Action Plan:

### a. Plan Considerations

In addition to residents, the City will ensure that members of the public (including City staff) and private agencies that provide the following services will be consulted in the development of the Action Plan:

- Health Service Providers
- Social Services for: Children, Elderly, Disabled, Homeless, and Persons with AIDS
- State and Local Health Agencies
- Adjacent Local Governments
- Housing Authority (Santa Ana and Orange County Housing Authority)

### b. Plan Review and Comment

The draft Action Plan incorporating the City's proposed uses of CDBG, HOME, and ESG funds shall be made available for public review for a 30-day period.

In a manner similar to that set forth for the Consolidated Plan, the City shall encourage participation from all residents, especially low- and moderate-income residents, minorities, non-English speakers and those with disabilities. The City shall make the plan accessible to all such groups. Copies shall be made available following the process described in Section G of this document.

Written comments shall be accepted during public review period by the Executive Director of Community Development. A summary of the comments and the City's responses to the comments shall be attached to the draft Action Plan.

### c. Public Hearing

The City shall conduct two (2) public hearings during the preparation of the Action Plan:

- The first public hearing will be held before the Santa Ana Community Redevelopment and Housing Commission to accept public comments on funding priorities for the upcoming year; and
- The second public hearing will be held before the Santa Ana City Council to accept public comments on the draft Annual Action Plan

The Community Redevelopment and Housing Commission will recommend the Action Plan to City Council for approval. City Council shall approve, approve with modifications, or reject the Action Plan. Section G describes the process for publishing notice for and conducting public hearings.

If required due to a local, regional, or national disaster event, public hearings may be held virtually in a structure as established by the City Clerk and allowed by the U.S. Department of Housing and Urban Development via waiver or other authorization. The City will ensure the public hearing is structured in a manner that will still allow for reasonable access and participation in the meeting.

d. Submittal to HUD

Upon adoption of the Annual Action Plan by the City Council, staff shall submit the Action Plan to HUD. Documents related to the public participation process, including copies of public notices and a summary of all public comments received, shall be attached to Action Plan. The Action Plan shall be submitted to HUD at least 45 days before the program year pursuant to regulations, or as otherwise allowed or required by HUD.

**2. Action Plan Amendments**

The City shall follow the following procedure to complete substantial and minor amendments to the Action Plan, as needed:

a. Amendment Considerations

The City shall substantially amend the Action Plan if a “substantial change” is proposed by City staff or the City Council. For the purpose of the Action Plan, a “substantial change” is defined as:

- Addition of a new activity not previously identified in the Action Plan, without regard to funding source;
- Cancellation of an existing activity identified in the Action Plan, without regard to funding source;
- A change in the purpose, scope, location or beneficiaries of an activity; or
- Changes in the use of CDBG funds from one eligible activity to another eligible activity meeting the following thresholds:

Net Increase or Decrease	Trigger for Substantial Amendment*	Minor Amendment*
Net Increase	≥ 30% of the most recent grant allocation	<30% of the most recent grant allocation
Net Decrease	≥ 30% of the most recent grant allocation	<30% of the most recent grant allocation

\* (Amended amounts will not be cumulative, that is, each amendment will stand on its own for purposes of determining the 30 percent threshold.)

The City may make minor changes to the Action Plan, including any change not included in the definition of a “substantial change” above, as needed, so long as the changes do not constitute a substantial amendment as described above. Such minor changes to the Action Plan do not require a public review and

comment period or a public hearing. However, City Council approval of activity funding changes may be required based on the amount and City policy.

b. Public Review and Comment

The City encourages citizen participation in the development of substantial amendments. Substantial Amendments to the Action Plan shall be made available for public review for a 30-day period. Written comments shall be accepted during the public review period. Comments should be directed to the Executive Director of Community Development. A summary of the comments and the City's responses to the comments shall be attached to the Action Plan Substantial Amendment.

Given the need to expedite actions to respond to COVID-19 in a memorandum dated March 31, 2020, HUD waived 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i). The 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 through the end of the 2020 program year.

The City shall encourage participation from all residents, especially low- and moderate-income residents, minorities, non-English speakers and those with disabilities. The City shall make the plan accessible to all such groups. Copies shall be made available following the process described in Section G of this document.

c. Public Hearing

The City shall conduct a public hearing before the Community Redevelopment and Housing Commission (or a similar standing City Commission) to review and consider the Substantial Amendment to the Action Plan. The City shall accept public comments on the Substantial Amendment to the Action Plan at the public hearing. After public comments are heard and considered, the Commission will recommend the Substantial Amendment to City Council. City Council shall approve, approve with modifications, or deny the request for a substantial amendment to the Action Plan. Section G describes the process for publishing notice for and conducting public hearings.

If required due to a local, regional, or national disaster event, public hearings may be held virtually in a structure as established by the City Clerk and allowed by the U.S. Department of Housing and Urban Development via waiver or other authorization. The City will ensure the public hearing is structured in a manner that will still allow for reasonable access and participation in the meeting.

d. Submittal to HUD

A copy of the Substantial Amendment to the Action Plan along with copies documenting the public participation process (i.e. public notices and public comments) shall be submitted to HUD for their records. Similarly, minor amendments shall be submitted to HUD.

**E. Consolidated Annual Performance and Evaluation Report (CAPER)**

The City shall implement the following procedures in the development of the Consolidated Annual Performance and Evaluation Report (CAPER):

**1. Report Development**

The City shall develop, approve and submit a CAPER within 90 days of the conclusion of each program year.

a. Report Considerations

Staff shall evaluate and report the accomplishments of the previous program year for all CDBG, HOME, and ESG activities and shall provide information on program expenditures and other metrics as required by HUD.

b. Review and Comment

The City encourages citizen participation in the development of the CAPER. The draft CAPER shall be made available for public review for a 15-day period. Written comments will be accepted during a public review period by the Executive Director of Community Development.

A summary of any written comments received, or oral comments provided during the public hearing and the City's responses to those comments shall be attached to the CAPER submission to HUD. Copies of the draft CAPER shall be made available following the process described in Section G of this document.

c. Submittal to HUD

Upon completion of the public review period, City staff shall submit the CAPER to HUD. Documents related to the public participation process, including copies of public notices and a summary of all public comments received, shall be attached to the CAPER. The CAPER shall be submitted to HUD within 90 days following the end of the program year pursuant to regulations.

**F. Analysis of Impediments or Assessment of Fair Housing (AI or AFH)**



The Analysis of Impediments to Fair Housing Choice (AI) or Assessment of Fair Housing (AFH) is a five-year plan completed by the City individually or as part of a local consortium of other HUD grantees pursuant to HUD guidance for the evaluation of local housing conditions, economics, policies and practices and the extent to which these factors impact the range of housing choices and opportunities available to all residents in an environment free from discrimination. As of April 2019, HUD has suspended the AFH planning framework. HUD currently requires the submission of an AI for grantees submitting Consolidated Plans for FY 2019. If HUD renews the AFH planning framework, the AFH will replace the AI in the context and implementation of this section. The following describes the process and procedures related to the development of the AI or AFH.

## **1. Plan Development**

The City shall implement the following procedure in the preparation and adoption of the AI or AFH:

### **a. Considerations**

As soon as feasible after the start of the public participation process for the AI or AFH, the City will make the HUD-provided data and any other supplemental information available to residents, public agencies and other interested parties by posting the data on the City's website and referencing this information in public notices.

The City will make a concerted effort to notify and encourage the participation of citizens, local and regional institutions, the local Continuum of Care organization addressing homelessness, and public and private organizations including businesses, developers, nonprofit organizations, philanthropic organizations, community-based and faith-based organizations, 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, emergency management agencies, state and local health service providers, social service providers, fair housing organizations, state and local governments, public housing authorities, affordable housing developers, businesses, community and faith based organizations, and other stakeholders in the development of the AI or AFH through mailings (including electronic mailings), online postings and public notices in the newspaper, as well as telephone or personal interviews, mail surveys, internet-based feedback and consultation workshops.

### **b. Review and Comment**

The draft AI or AFH shall be made available for public review for a 30-day period. Written comments shall be accepted during public review period by the Executive Director of Community Development. A summary of the comments and the City's responses to the comments shall be attached to the AI or AFH. Copies shall be made available following the process described in Section G of this document.

c. Public Hearing

The Community Redevelopment and Housing Commission (or a similar standing City Commission) shall conduct a public hearing to accept public comments on the draft AI or AFH. After public comments are heard and considered by the Community Redevelopment and Housing Commission, the Commission will recommend the draft AI or AFH to City Council. The City Council shall approve or reject the AI or AFH. Section G describes the process for publishing notice for and conducting public hearings.

d. Submittal to HUD

Upon adoption of an AI or AFH, the City shall retain the AI in its records and annually report on the status and disposition of the Fair Housing Plan recommendations. Upon adoption of an AI or AFH, the City shall submit the AI or AFH to HUD for review and acceptance or rejection. The goals of the AI and AFH shall be incorporated into the Consolidated Plan prior to submission of the Consolidated Plan to HUD.

## **2. AI or AFH Amendments**

The City shall follow the following procedure to complete substantial amendments to AI or AFH, as needed.

a. Amendment Considerations

The City shall substantially amend the AI if a “substantial change” is proposed by City staff or the City Council. For the purpose of the AI, a “substantial change” is defined as the addition or deletion of Fair Housing Plan recommendations.

The City shall substantially amend the AFH if a “substantial change” is proposed by City staff or the City Council or as otherwise required by HUD. An AFH that was previously accepted by HUD must be revised and submitted to HUD for review if 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 AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH 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, upon HUD's written notification specifying a material change that requires the revision. A revision to the AFH consists of preparing and submitting amended analyses, assessments, priorities, and goals that take into account the material change,

including any new fair housing issues and contributing factors that may arise as a result of the material change.

b. Public Review and Comment

The City encourages residents and stakeholders to participate in the development of substantial amendments. Substantial Amendments to the AI or AFH shall be made available for public review for a 30-day period. Written comments will be accepted by the Executive Director of Community Development or designee during the public review period. A summary of the comments and the City's responses to the comments will be attached to the Consolidated Plan Substantial Amendment.

The City will encourage participation from all residents, especially low- and moderate-income residents, minorities, LEP identified groups, and those with disabilities. The City will take efforts to make the plan accessible to all such groups. Copies will be made available following the process described in Section G of this document.

c. Public Hearing

The City shall conduct a public hearing before the Community Redevelopment and Housing Commission (or a similar standing City Commission) to accept public comments on the draft amendment to the AI or AFH. After public comments are heard and considered, the Commission will recommend the draft amendment to the City Council. City Council may approve or reject the amendment to the AI or AFH. A revised AFH must be submitted within 12 months of the onset of a material change that triggers a "Substantial Amendment," or at such later date as HUD may specify. Section G describes the process for publishing notice for and conducting public hearings.

## **G. Public Hearings, Notification and Access**

The following policies and procedures outlining the public hearing process and public hearing notification apply to the development and substantial amendment of the Citizen Participation Plan, Five Year Consolidated Plan, Action Plan, CAPER, and AI or AFH.

### **1. Public Hearings/Meetings**

a. Public Hearing Process

The City shall conduct a minimum of two (2) public hearings per year to obtain citizens' views and comments. These meetings shall be conducted at different times of the program year and together will cover the following topics:

- Housing and Community Development Needs
- Development of Proposed Activities

- Review of Program Performance

During a program year when the City develops an AI or AFH and Consolidated Plan, at least one public hearing shall be conducted prior to the draft AI or AFH and Consolidated Plan being published for comment.

b. Public Hearing Notification

Staff shall ensure adequate advance notice of all public meetings and hearings. Notices shall be printed/posted at least 14-days prior to the meeting date. Adequate noticing shall include:

- Publishing a public notice in a newspaper of general circulation; and
- Posting copies of notices on the City website.

Notices shall include information on the topic of the meeting, including summaries when appropriate, to properly inform the public. Notices shall be published in accordance with the LEP and shall be accessible to those with disabilities. Meeting location and access is described below.

**2. Documents for Public Review**

Staff shall ensure adequate advance notice of all public review/comment periods. Notices shall be printed / posted prior to the commencement of the public review period alerting residents of the documents for review and providing a summary of the contents of the documents to include information on the content and purpose of the document and the list of locations where copies of the entire draft document(s) may be reviewed. The public comment period for each Consolidated Plan Document and substantial amendment to each document subject to public review is listed below:

Document	Public Comment Period
Citizen Participation Plan	30 days
Consolidated Plan	30 days
Action Plan	30 days
CAPER	15 days
AI or AFH	30 days

The City shall ensure that documents are available for disabled, minority and non-English speaking residents (Spanish, Vietnamese, and Mandarin in accordance with City's LEP Plan). In addition, individuals needing a City form, notice or agenda to be translated to another language, please contact the City of Santa Ana Clerk of the Council at (714) 647-6520.

Adequate noticing shall include:

- Publishing a public notice in the following newspapers of general circulation:
  - English - Orange County Register

- Spanish – La Opinion
- Nguoi Viet – Vietnamese
- Posting copies of notices on the City website; and
- Posting notices at City Hall.

The City shall place an adequate supply of draft copies of each document and substantial amendments to each document subject to public review at the following locations:

**Community Development Agency**

20 Civic Center Plaza, 6<sup>th</sup> Floor  
Santa Ana, CA 92702

**Office of the City Clerk**

20 Civic Center Plaza, Room 809  
Santa Ana, CA 92702

**Santa Ana Main Public Library**

26 Civic Center Plaza  
Santa Ana, CA 92702

Public Notices and draft documents shall also be posted to the City website at: <http://www.santa-ana.org/cd>

All printed reports and materials shall be made available in a form accessible to persons with disabilities, upon request.

**3. Access to Meetings and Hearings**

Meetings for items that require Community Redevelopment and Housing Commission action shall be conducted in front of the Commission at 4:30 P.M. at the Santa Ana City Hall Council Chambers (22 Civic Center Plaza, Santa Ana, California, 92701). Meetings for items that require City Council action shall be conducted in front of the Santa Ana City Council at 4:30 P.M. at the Santa Ana City Hall Council Chambers (22 Civic Center Plaza, Santa Ana, California, 92701). For public meetings or hearings not requiring action by the Community Redevelopment and Housing Commission or City Council, the City shall make every effort to conduct such meetings in the low- and moderate-income target areas and at times accessible and convenient to potential and actual beneficiaries.

It is the objective of the City to comply with Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act (ADA) of 1990 and the ADA Amendment Act of 2008, the Fair Housing Act, the Architectural Barriers Act, The LEP Plan, and the City's adopted Title VI Plan in all respects.

Individuals with disabilities who need special assistance to participate in City Council meetings can contact Office of the City Clerk's Department, 20 Civic Center Plaza, Room 809, Monday through Thursday and alternate Fridays, 8:00 a.m. – 5:00 p.m., at

(714) 647-6520. Requests shall be made at least 48 hours prior to the meeting to enable the City to make arrangements to assure accessibility.

The City of Santa Ana will provide appropriate auxiliary aids and services whenever necessary for those individuals who have hearing, sight or speech impairments, unless to do so would result in a fundamental alteration of its programs or an undue administrative or financial burden. No surcharge will be placed on a particular individual with a disability or any group of individuals with disabilities to cover the cost of providing these auxiliary aids/services or reasonable accommodations. For information regarding the Americans with Disabilities Act, the City's ADA Transition Plan, contact the City's ADA Coordinator at (714) 647-5624, (714) 647-6745 (TTY) or [mortiz@santa-ana.org](mailto:mortiz@santa-ana.org).

#### **4. Access to Consolidated Plan Documents and Records**

Approved Consolidated Plan Documents and any approved amendments thereto, shall be kept on file in the Community Development Agency (20 Civic Center Plaza, 6<sup>th</sup> Floor, Santa Ana, CA 92704) and online at: <http://www.santa-ana.org/cd>

Reasonable efforts shall be made to accommodate requests for documents in other languages in accordance with the City's LEP Plan.

Reasonable efforts shall be made to accommodate requests for documents in an accessible format for those with disabilities. Such formats may include, but are not limited to providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound.

Requests for information and records shall be made to the City in writing. Staff shall respond to such requests within 15 working days or as soon as possible thereafter.

#### **H. Technical Assistance**

Technical assistance to applicants for CDBG, HOME, and ESG funds is available from the Department of Community Development as follows:

- If published, any Notice of Funding Availability (NOFA) shall provide self-explanatory application form(s) to facilitate access to CPD funds.
- Staff shall answer, in writing, all written questions and answer verbally all verbal inquiries received from citizens or representative groups pertaining to the NOFA and application(s).
- Staff shall conduct a project eligibility analysis to determine the eligibility of each project. In cases where only minor adjustments are needed to make proposals eligible or otherwise practical, staff shall advise the applicants on the options available and desired changes to the proposals.
- Staff shall arrange for translation on as-needed basis.

To request technical assistance, contact the Housing Division Manager at (714) 647-5360.

## **I. Comments and Complaints**

Citizens or the City government, as well as agencies providing services to the community, are encouraged to state or submit their comments in the development of the Consolidated Plan Documents and any amendments to the Consolidated Plan. Written and verbal comments received at public hearings or during the comment period, shall be considered and summarized, and included as an attachment to the City's final Consolidated Plan. Written comments should be addressed to: Executive Director of Community Development, Community Development Agency, 20 Civic Center Plaza, 6<sup>th</sup> Floor, Santa Ana, CA 92702.

A written response shall be sent in response to written comments within 15 working days.

A complaint regarding the Consolidated Planning process and Consolidated Plan amendments must be submitted in writing to the Community Development Agency. A written response shall be made to written complaints within 15 working days, acknowledging the complaint. Written complaints should be addressed to: Executive Director of Community Development, 20 Civic Center Plaza, 6<sup>th</sup> Floor, Santa Ana, CA 92702. The City shall accept written complaints provided that the complaint specifies:

- The description of the objection, and supporting facts and data; and
- Provide name, address, telephone number, and the date of complaint.

## **J. Appeals**

Appeals concerning the Consolidated Plan Documents, statements, or recommendations of City Staff should be made to the following persons in the order presented:

- Housing Division Manager
- Executive Director, Community Development Agency
- City Manager
- City Council
- Los Angeles Area Office of HUD (if concerns are not answered)

## **K. CDBG Disaster Recovery (CDBG-DR)**

In the event of a federally-declared major disaster or emergency for which the City of Santa Ana is to receive and administer HUD disaster recovery assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act and related Congressional Appropriations, either directly from HUD or through the State of California, the following citizen participation requirements shall apply to the development of Action Plans and Substantial Amendments to Action Plans for disaster recovery:

1. Before the City adopts the Action Plan for a disaster recovery grant or any substantial amendment to a disaster recovery grant Action Plan, the City will publish the proposed plan or amendment on the City website and will cross-reference with any additional disaster recovery websites established to provide



information to the public concerning assistance that may be available.

2. The City and/or subrecipients will notify affected citizens through USPS and/or electronic mailings, press releases, public service announcements, public notice(s), and/or through social media.
3. The City will ensure that all citizens have equal access to information about the programs, including persons with disabilities and Limited English Proficiency Plan (LEP) persons. Program information will be made available in the appropriate languages for the City.
4. Subsequent to publication of the Action Plan or substantial amendment, the City will provide a reasonable opportunity of at least seven (7) days for receiving comments, or a longer period as prescribed by the Federal Register Notice governing administration of the HUD disaster recovery assistance.
5. The City will take comments via USPS mail to: Community Development Agency, Executive Director of Community Development, 20 Civic Center Plaza, 6<sup>th</sup> Floor, Santa Ana, CA 92702.
6. In the Action Plan, the City will specify criteria for determining what changes in the City's plan constitute a substantial amendment to the plan. At a minimum, the following modifications will constitute a substantial amendment: a change in program benefit or eligibility criteria; the addition or deletion of an activity; or the allocation or reallocation of a monetary threshold of more than \$750,000.
7. A public website shall be established and publicized specifically for the disaster. Initially, the City's website may be used at: [www.santa-ana.org](http://www.santa-ana.org). The website shall contain the Action Plan (including all amendments); each Quarterly Performance Report (QPR); procurement policies and procedures; executed contracts; status of services or goods currently being procured by the City (e.g., phase of the procurement, requirements for proposals, etc.).
8. The City will consider all written comments regarding the Action Plan or any substantial amendment. A summary of the comments and the City's response to each comment will be provided to HUD or the State with the Action Plan or substantial amendment.
9. The City will provide a timely written response to every citizen complaint. The response will be provided within 15 working days of the receipt of the complaint, to the extent practicable.
10. The City will notify HUD when it makes any plan amendment that is not substantial. HUD or the State will be notified at least five business days before the amendment becomes effective.

## **L. Anti-Displacement and Relocation**

The City's Anti-displacement and Relocation Plan describes how Santa Ana will assist persons who must be temporarily relocated or permanently displaced due to the use of HUD funds. This plan takes effect whenever the City funds projects that involve the following:

- Property acquisition;
- Potential displacement of people from their homes and the need to relocate people (either permanently or temporarily); and
- The demolition or conversion of low- and moderate-income dwelling units.

Two acts apply whenever any of the above issues are present: The Uniform Relocation Assistance and Real Property Policies Act of 1970 (URA) and Section 104(d) of the Housing and Community Development Act of 1974. Each of these acts place different obligations on the City.

The URA governs the processes and procedures which the City must follow to minimize the burden placed on low- and moderate-income tenants, property owners, and business owners who must move (either temporarily or permanently) as the result of a project funded in whole or in part by the CDBG, HOME, or ESG programs. The URA applies to:

- Displacement that results from acquisition, demolition, or rehabilitation for HUD-assisted projects carried out by public agencies, nonprofit organizations, private developers, or others;
- Real property acquisition for HUD-assisted projects (whether publicly or privately undertaken);
- Creation of a permanent easement or right of way for HUD-assisted projects (whether publicly or privately undertaken); and
- Work on private property during the construction of a HUD-assisted project even if the activity is temporary.

Displacement occurs when a person moves as a direct result of federally assisted acquisition, demolition, conversion, or rehabilitation activities, because they are:

- Required to move; or
- Not offered a decent, safe, sanitary and affordable unit in the project; or
- Treated “unreasonably” as part of a permanent or temporary move.

A person may also be considered displaced if the necessary notices are not given or provided in a timely manner and the person moves for any reason.

The term displaced person means any person that moves from real property or moves their personal property from real property permanently as a direct result of one or more of the following activities:

- Acquisition of, written notice of intent to acquire, or initiation of negotiations to acquire such real property, in whole or in part, for a project;
- Rehabilitation or demolition of such real property for a project; and

- Rehabilitation, demolition, or acquisition (or written notice of intent) of all or a part of other real property on which the person conducts a business or farm operation, for a project.

The City shall cause advisory and financial assistance to be available to eligible tenants (or homeowners) who meet the above definition.

### **1. Persons Not Eligible for Assistance**

A person is not eligible for relocation assistance under the provisions of the URA if any of the following occurs:

- The person was evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable Federal, State, or local law, or other good cause. However, if the person was evicted only to avoid the application of URA, then that person is considered displaced and is eligible for assistance;
- The person has no legal right to occupy the property under State or local law;
- The City determines that the person occupied the property to obtain relocation assistance and the HUD Field Office concurs in that determination;
- The person is a tenant-occupant that moved into the property after a certain date, specified in the applicable program regulation, and, before leasing and occupying the property, the City or its subrecipient provided the tenant-occupant written notice of the application for assistance, the project's impact on the person, and the fact that he or she would not qualify as a "displaced person" because of the project;
- The person is a tenant-occupant of a substandard dwelling that is acquired or a tenant-occupant of a dwelling unit to which emergency repairs are undertaken and the HUD field office concurs that:
  - Such repairs or acquisition will benefit the tenant;
  - Bringing the unit up to a safe, decent, and sanitary condition is not feasible;
  - The tenant's new rent and average estimated monthly utility costs will not exceed the greater of: the old rent/utility costs or 30 percent of gross household income; and
  - The project will not impose any unreasonable change in the character or use of the property.
- The person is an owner-occupant of the property who moves because of an arm's length acquisition;
- The City or its subrecipient notifies the person that they will not displace him or her for the project; and
- The person retains the right of use and occupancy of the real property for life following the acquisition.

The City determines that the person is not displaced as a direct result of the acquisition, rehabilitation, or demolition for the project and the HUD field office concurs in the determination.

## **2. Anti-Displacement Policy**

The City will take reasonable steps to minimize displacement occurring as a result of its CDBG activities. This means that the City will:

- Consider if displacement will occur as part of funding decisions and project feasibility determinations;
- Assure, whenever possible that occupants of buildings to be rehabilitated are offered an opportunity to return;
- Plan substantial rehabilitation projects in “stages” to minimize displacement; and
- Meet all HUD notification requirements so that affected persons do not move because they have not been informed about project plans and their rights.

The City seeks to minimize, to the greatest extent feasible, the displacement, whether permanently or temporarily, of persons (families, individuals, businesses, nonprofit organizations, or farms) from projects funded with CDBG involving single- or multi-family rehabilitation, acquisition, commercial rehabilitation, demolition, economic development, or capital improvement activities.

Projects that the City deems beneficial but that may cause displacement may be recommended and approved for funding only if the City or its subrecipient demonstrates that such displacement is necessary and vital to the project and that they take efforts to reduce the number of persons displaced. Further, they must clearly demonstrate that the goals and anticipated accomplishments of a project outweigh the adverse effects of displacement imposed on persons who must relocate.

## **3. Displacement Assistance**

Consistent with the goals and objectives of the CDBG program, the City will take all reasonable steps necessary to minimize displacement of persons, even temporarily. If displacement occurs, the City will provide relocation assistance to all persons directly, involuntarily, and permanently displaced according to HUD regulations.

If the City temporarily displaces a low- or moderate-income household, that household becomes eligible for certain relocation payments. The assistance applies to those persons residing in the residence at the time the application is processed and is based on the following procedures:

- If the structure and its occupants are determined eligible for temporary relocation assistance, the owner-occupants and tenants are eligible for the

actual reasonable cost (based on fair market rent) of temporary lodging facilities until the structure is determined habitable by the City's inspector;

- The City must approve housing and the Lessor and Lessee must sign a rent agreement before move-in. Housing must be comparable functionally to the displacement dwelling and decent, safe, and sanitary. This does not mean that the housing must be in comparable size. The term "functionally equivalent" means that it performs the same function, has the same principal features present, and can contribute to a comparable style of living. Approved lodging accommodations include apartments and houses. The City does not reimburse "rental expenses" for living with a friend or family member;
- Either the City will provide the owner-occupants and tenants a direct payment for moving expenses (to and from temporary housing) and storage costs, or the City will arrange moving and storage of furniture with a moving company. If the City makes a direct payment, complete documentation and receipts are necessary to process claims when storage costs exceed the amount assumed by the direct payment;
- Damage deposits, utility hookups, telephone hookups and insurance costs are not eligible for reimbursement; and
- The City may pay the cost of relocation assistance from Federal funds or funds available from other sources.

#### **4. One-For-One Replacement Dwelling Units**

The City will generally avoid awarding funds for activities resulting in displacement. However, should the City fund an activity, specific documentation is required to show the replacement of all occupied and vacant dwelling units demolished or converted to another use. The City will assure that relocation assistance is provided as described in 24 CFR 570.606(b)(2).

Before obligating or expending funds that will directly result in such demolition or conversion, the City will make public and submit to the HUD field office the following information in writing:

- A description of the proposed assisted activity;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low- and moderate-income units;
- A time schedule for the commencement and completion of the demolition or conversion;
- The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units;
- The source of funding and a time schedule for the provision of replacement dwelling units; or

- The basis for concluding that each replacement dwelling unit will remain a low- and moderate-income unit for at least ten years from the date of initial occupancy.

In the implementation of HUD programs, the City will take all reasonable steps necessary to minimize displacement of persons from their homes. The City will avoid funding projects that cause displacement of persons or businesses and will avoid funding any project that involves the conversion of low- and moderate-income housing to non-residential purposes.

## **5. Decent, Safe and Sanitary Dwelling**

The basic definition is found at 49 CFR 24.2(1). The term decent, safe, and sanitary dwelling means a dwelling that meets the following standards and any other housing and occupancy codes that are applicable. It will:

- Be structurally sound, weather tight, and in good repair;
- Contain a safe electrical wiring system adequate for lighting and other devices;
- Contain a safe heating system capable of sustaining a healthful temperature for the displaced person;
- Be adequate to accommodate the displaced person. There will be a separate, well lit, ventilated bathroom that provides privacy to the user and contains a toilet, sink, and a bathtub or shower, all in good working order and properly connected to appropriate sources of water and to a sewage drainage system. There should be a kitchen area that contains a fully usable sink, properly connected to hot and cold water and to a sewage drainage system, and adequate space and utility service connections for a stove and refrigerator;
- Contain unobstructed egress to safe, open space at ground level;
- For a mobility-impaired person, be free of any barriers that would preclude reasonable ingress, egress, or use of the dwelling by such person. This requirement will be satisfied if the displaced person elects to relocate to a dwelling that they select, and the displaced person determines that they have reasonable ingress, egress, and the use of the dwelling; and
- Comply with lead-based paint requirements of 24 CFR Part 35.

## **M. Real Property Policies**

The City and its subrecipients must follow specific guidelines regarding the acquisition and use of real property funded in whole or in part with HUD funds.

### **1. Use of Real Property**

The following standards apply to real property within the recipient's control and acquired or improved, in whole or in part, using HUD funds. These standards will apply from the date funds are first spent for the property until five years after the project is audited and closed.

A recipient may not change the use of any such property (including the beneficiaries of such use) from that for which the acquisition or improvement was made unless the recipient gives affected citizens reasonable notice of, and opportunity to comment on, any such proposed change, and either:

- The use of such property qualifies as meeting a national objective and is not a building for the general conduct of government;
- The requirements in the paragraph below are met;
- If the recipient determines, after consultation with affected citizens, that it is appropriate to change the use of property to a use that does not qualify under the above paragraph, it may retain or dispose of the property. The City must be reimbursed in the amount of the current fair market value of the property less any portion attributable to expenditures of non-federal funds for the acquisition of and improvements to the property;
- If the change of use occurs within five years of the project being audited and closed, income from the disposition of the real property will be returned to the City's HUD programs; and
- Following the reimbursement of the federal program pursuant to the above paragraph of this section, the property is no longer subject to any federal requirements.

## **2. Real Property Acquisition**

All real property acquisition activities described in this section and funded in whole or in part with CDBG funds and all real property that must be acquired for an activity assisted with Federal funds, regardless of the actual funding source for the acquisition, are subject to the URA (as amended).

Real property acquisition is any acquisition by purchase, lease, donation, or otherwise, including the acquisition of such interests as rights-of-way and permanent easements.

HUD Handbook 1378 and 49 CFR Part 24 currently contains such regulations. These regulations detail a standard procedure for acquiring property and methods of determining a purchase price and outline other documents that must be provided to the City before disbursement of funds. These regulations further require the applicant to provide relocation payments and assistance to any business or residential occupant of the property whom the acquisition will displace.



### **3. Eligible Activities**

The City, or its subrecipient may acquire real property for a project using CDBG funds where the proposed use of the acquired property will be an activity that the City can demonstrate as beneficial to low- and moderate-income persons.

### **4. Environmental Review Process (24 CFR Part 58)**

HUD requires that all real property acquisition projects be reviewed before the commitment of Federal funds to assess the impact of a project on the environment. The City will undertake this review process. The applicant should be aware, however, that this review process may delay the date by which CDBG funds may be available and, in case of serious adverse environmental impacts, may effectively stop a project.