

# RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the section of the Citizen Participation Plan for the Consolidated Plan that relates to the composition and function of the Community Development Steering Committee be revised, as reflected in Attachment A, to incorporate the June 15, 2004 recommendations from the "Mayor's Blue Ribbon Ad Hoc Committee for the Community Development Block Grant Funding Process", and additional revisions recommended by the staff of the Department of Community and Human Development to reflect updated terminology and current practices.

ADOPTED this 13th day of July, 2004.

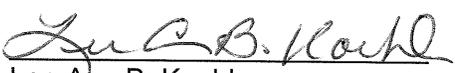
CITY OF EL PASO

  
\_\_\_\_\_  
Joe Wardy  
Mayor

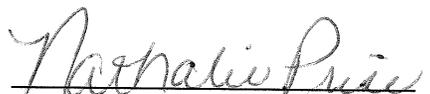
ATTEST:

  
\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Lee Ann B. Koehler  
Assistant City Attorney

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Nathalie Prise, Interim Director  
Community and Human Development

# **CITIZEN PARTICIPATION PLAN**

**July 2004**

**A Guide to Participation in the  
Community Development Block Grant Program**

## THE COMMUNITY DEVELOPMENT PROGRAM CITIZEN PARTICIPATION PLAN

The Citizen Participation Plan, which follows, provides a guide for citizens and citizen organizations to participate in an advisory role in planning, implementing and assessing the Community Development Block Grant Program.

The Plan describes procedures by which each of the requirements of the program will be carried out. Additionally, the Plan sets forth how citizens may become involved in the program. Any changes to the Citizen Participation Plan will be subject to the entire citizen participation process.

Citizens shall have an opportunity to submit views and proposals regarding the program in the following manner:

- 1) directly to the Department of Community and Human Development
- 2) directly to the Steering Committee
- 3) directly to any Steering Committee member
- 4) at formal Public Hearings.

Copies of the Citizen Participation Plan will be available in English and Spanish at no charge at the Office of Community Development, City Hall, 2 Civic Center Plaza, Eighth Floor; the City's Main Library and each branch Library; the UTEP Library, and at all the El Paso Community College Campus Libraries. Addresses of the libraries can be found in Appendix A.

Citizens are encouraged to obtain copies of the Citizen Participation Plan in order to more effectively participate in the Program.

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I. Steering Committee for Citizen Participation

- A. Membership: A Steering Committee for Citizen Participation, henceforth referred to as the Steering Committee, shall consist of nine members. The criteria for membership on the Steering Committee shall be as follows:
1. Members must be:
    - Low or moderate income (as defined by HUD regulations), or
    - Residents of Community Development eligible (low and moderate income) areas, or
    - Current consumers of Community Development funded services, or
    - Members of a City recognized neighborhood association.
  2. The Mayor and each City Representative will appoint one individual to the Steering Committee. Appointed Steering Committee members must reside in the district that they represent. The Mayor's appointment must reside within the El Paso city limits. Each individual appointee will be confirmed by City Council.
- B. Term of Office: Each confirmed Steering Committee member will serve a term of office for two years. One-half of the members' terms shall expire each year on the second Tuesday of June.
- C. Grandfathering of Current Steering Committee Members: Current Steering Committee members will serve out their appointed term of office, at which time members will be appointed in consonance with paragraphs I, A1 and 2 above.
- D. Membership Termination: Any member of the Steering Committee who fails to attend three consecutive regular or called meetings of the Committee shall be reported by the Chair or the Vice-Chair to the Mayor and City Council so that consideration may be given to the removal of such member. Any vacancy on the Steering Committee shall be filled by the City Council for the remainder of the unexpired term in accordance with the provisions of Section I.A.2. Any Steering Committee member may be removed from the Steering Committee by City Council, in accordance with provisions of the City Charter.
- E. Responsibilities: The Steering Committee shall serve in an advisory capacity to the City Council to identify community development and housing needs and formulate recommendations for the Community Development Program. Responsibilities of the Steering Committee shall include:
1. Review and comment on the development of a Citizen Participation Plan;
  2. Review statements-of-views and proposals submitted by citizens, neighborhood groups, City Departments, etc., and at public hearings;
  3. Oversee the Community Development (CD) Social Service and Emergency Shelter Grant (ESG) collaborative process by having designated Steering Committee members attend each of the collaborative meetings to attest to their work;

4. Form an Appeals/Grievance Subcommittee, chaired by the Mayor's appointee to the Steering Committee, and comprised of other members not assigned to oversee a designated collaborative. The Appeals/Grievance Subcommittee's purpose is to hear appeals and/or grievances from CD/ESG collaborative members regarding process and funding level issues. All appeals will be heard after collaborative recommendations have been finalized and before the Steering Committee as a whole reviews collaborative recommendations. The Appeals/Grievance Subcommittee may also be sent issues from City Council for additional examination and recommendation.
5. Review Community Development plans and projects prepared by City Departments and neighborhood organizations;
6. Advise the City Council on policy decisions regarding program implementation;
7. Review and comment on proposed amendments to the Community Development Program; and
8. Assess the degree to which completed Community Development projects achieve their objectives.

F. Functioning: The Steering Committee annually shall choose a Chair and a Vice-Chair from among its membership at the first meeting in October. The term of both Chair and Vice-Chair shall be for one year and be limited to no more than two (2) consecutive terms. The term of the Chair and Vice-Chair shall begin at the first meeting of October of each year. The Vice-Chair shall act as the Chair during the absence of the Chair from a Committee meeting. The Chair shall conduct Steering Committee meetings in a fair and orderly manner, and shall encourage all members to participate in Committee discussions.

The Committee may choose to adopt a parliamentary guide such as Robert's Rules of Order. The Steering Committee shall conduct meetings as needed and when recommended by the Community Development staff. The Committee and the Appeals/Grievance Subcommittee shall be mailed a notice/agenda of each meeting. A public notice informing citizens where and when the meetings shall be held will also be posted 72 hours before each meeting on the Bulletin Board at City Hall in accordance with the Texas Open Meetings Act. This will provide citizens with an opportunity to be involved in the planning, implementation and assessment stages of the program. All meetings shall be conducted in an open manner with freedom of access for all interested citizens. All meetings will be held at locations that are accessible to persons with disabilities.

A quorum must be present before the Steering Committee and/or Appeals/Grievance Subcommittee may vote on any matter. A quorum shall be a majority of the total membership. Vacancies, such as terminations and resignations, which reduce the total membership of the Committee and/or Subcommittee, shall proportionately reduce the number of members needed for a quorum. All recommendations shall be determined by a vote among Steering Committee and/or Subcommittee members.

- G. Conflicts of Interest: No application for funding with Community Development dollars will be accepted for consideration by the Steering Committee from an agency which has an employee, officer, agent or anyone who represents the agency in any capacity, sitting as a member of the Steering Committee.

II. Role of Community and Human Development

- A. Lead Agency: The Department of Community and Human Development shall be the lead agency charged with implementing the Citizen Participation Plan. Responsibilities of the Department shall include the following whenever staff is available:
1. Provide technical assistance to representatives of low- and moderate-income persons and groups, neighborhood associations and other civic and citizen organizations when requested so that they may adequately participate in planning, implementing, and assessing the program;
  2. Provide technical assistance to representatives of low and moderate income persons and groups, neighborhood associations, and other civic and citizen organizations which request assistance in developing proposals and statements-of-view;
  3. Inform the public about the Community Development Program and the citizen participation process through the local media in both English and Spanish languages;
  4. Assist the Steering Committee in scheduling and conducting public hearings;
  5. Advise the Steering Committee on administrative aspects of the Community Development Program;
  6. Present an oral report to the Steering Committee at least twice a year to inform them of the status of all projects and other pertinent program matters;
  7. Maintain all records of the Citizen Participation process including minutes of public hearings;
  8. Review all proposals for Community Development Block Grant funding;
  9. Schedule an annual public hearing, to be conducted by the Steering Committee, to solicit comments about housing and community development needs and proposals for community development;
  10. Schedule an annual public hearing on program needs, performance and proposed activities to be conducted at a regularly scheduled City Council meeting; and
  11. The level and type of technical assistance provided shall be that which the City

deems appropriate to enable low and moderate income persons and groups, neighborhood associations and other civic and citizen organizations which request assistance to participate in planning, implementing and assessing the program and to develop proposals and statements-of-views.

- B. Other City Departments: City Departments in addition to the Department of Community Development shall be requested to provide technical assistance to the Steering Committee and at public hearings in order to translate neighborhood needs into specific projects and activities when appropriate.
- C. Neighborhood Associations: The City of El Paso shall use neighborhood associations in Community Development areas and other appropriate community services to disseminate information about the Community Development Block Grant Program.

### III. Application Development

- A. Development Process: The Annual Action Plan (comprised of the Community Development Block Grant, Emergency Shelter Grant and HOME Investment Partnerships Program Budgets), herein called the Application, is developed according to the steps set out below. In the course of this process, City residents will be given the opportunity to submit proposals and comments on the program. A specific effort will be made to inform low- and moderate-income persons and residents of low- and moderate-income areas about the proposal and comment process and to involve them in the process. The Department of Community and Human Development will publish a notice in English and Spanish in the non-legal section of the local newspaper of general circulation stating how and when proposals and comments may be submitted and also the date, time, place and purpose of public hearings held to solicit proposals and comments. The media will be used whenever possible to advertise these meetings and promote attendance at these public hearings. Interested persons will also be invited to participate at other points in the process, including review of proposals and adoption of the Final Annual Action Plan. This process will afford low- and moderate-income persons and other interested citizens an opportunity to participate in the development of the Final Annual Action Plan.
- B. Public Hearings
  - 1. Public Hearings to Solicit Proposals: The first stage in developing the Application involves defining neighborhood objectives and soliciting preliminary proposals. One Citywide public hearing will be held to solicit comments about housing and community development needs and proposals for community development. In addition, one or more neighborhood meetings may also be held to provide neighborhood residents with an opportunity to propose projects. Specific efforts will be made to inform and involve residents of low- and moderate-income areas. Such efforts may include, but are not limited to, contacting neighborhood associations and organizations in low and moderate income areas, distributing handbills or other written literature in eligible areas, posting information on the City's website and use of the media. Written citizen proposals and comments will also be encouraged. A specific period and

deadline for submission of preliminary proposals will be set and publicized in accordance with the methods stated in this paragraph. Any proposals submitted after the established deadline may be presented to City Council. City Council will vote to grant or deny permission for late proposals to be considered for review. Late proposals which City Council allows to be considered will be handled in the same manner as proposals submitted prior to the established deadline.

2. Steering Committee Meetings to Review Proposals: During the second step of the Application development, the Steering Committee as a whole shall review proposals submitted to develop a budget recommendation. The Committee shall not create subcommittees to review the proposals received. Residents, neighborhood associations, organizations, City Departments, etc., who submitted proposals may be invited to appear before the Steering Committee as a whole to briefly explain and justify the purpose and need for funding the proposals. The Steering Committee as a whole shall prioritize the projects reviewed.
3. Submission of Budget Recommendations to City Council: During the third step of the Application development, the Steering Committee consolidates its recommendations and prepares a final Steering Committee budget recommendation which is presented to City Council. If the Community Development staff concurs with the Steering Committee recommendation, a Consensus Budget Recommendation will be submitted to City Council. If Community Development staff is unable to reach an agreement with the Steering Committee on the recommendation, staff has the option of submitting its own budget recommendation to City Council. The City Council will review the recommended budget(s) and prepare a Proposed Annual Action Plan (Preliminary Budget). This Proposed Annual Action Plan will be published in English and Spanish in the local newspaper of general circulation to afford residents and organizations an opportunity to examine its content and to submit comments to the City. Any comments received will be reviewed and City Council may, at its option, modify the Annual Action Plan subsequent to its publication and prior to adopting a Final Annual Action Plan.
4. Public Hearing on Proposed Annual Action Plan: During the fourth and final step, City Council will review comments received since introduction of a Proposed Annual Action Plan and formulate its Final Annual Action (Budget). This Final Annual Action Plan will be introduced at a public hearing at which residents will have the opportunity to comment on the proposed activities in the budget as well as program performance and needs. Upon completion of the public hearing the City Council will vote to adopt a Final Annual Action Plan based upon budget recommendations and comments presented to the Council. Upon adoption of a Final Annual Action Plan, the Final Annual Action Plan and required certifications will be submitted to the Area Office of the Department of Housing and Urban Development for review and approval. Copies of this Final Annual Action will be available to the public and copies can be obtained upon request at the Department of Community and Human Development, Eighth Floor, City Hall, #2 Civic Center Plaza.

C. Proposal Review Procedure:

1. The Department of Community and Human Development, as lead agency, shall make an initial review of all verbal and written proposals received to determine if they are eligible for Community Development funding under Federal Regulations. The Department shall notify applicants in writing, when possible, if their proposal is ineligible for Community Development funding. Eligible proposals shall be forwarded to appropriate City Departments for review and comment, and for preparation of an application if necessary.
2. The Steering Committee will be informed of the eligibility status of all proposals submitted. Once comments and cost estimates have been received from the Department reviewing them, the Department of Community and Human Development shall compile this information and forward it to the Steering Committee for review and recommendations. Departments, citizens, associations, agencies, etc., may be invited by the Steering Committee to present their proposals in person.
3. After the Community Development Social Service and Emergency Shelter Grant collaboratives make recommendations on their budgets, but before the recommendations are submitted to the entire Steering Committee as a whole, the Steering Committee's Appeals/Grievance Subcommittee will hear petitions from agencies, if necessary, regarding funding level and/or process issues only. The Appeals/Grievance Subcommittee has the authority to review complaints about the funding level amount awarded to any agency and/or the collaborative process. Determinations of eligibility related to applicable federal regulations are not subject to review by the Appeals/Grievance Subcommittee. The Appeals/Grievance Subcommittee's recommendations will be forwarded to and acted upon by the Steering Committee as a whole.
4. The Steering Committee shall discuss proposals during their regular meetings and determine which proposals to include in its final budget recommendation to City Council. Common reasons for not including a proposal in the Steering Committee's final budget include:
  - a. Ineligibility for funding under the Community Development Program Regulations;
  - b. The proposal is inappropriate for a given neighborhood or funding period;
  - c. The Steering Committee judges other proposals to constitute a higher priority; or
  - d. The proposal is insufficiently defined to permit consideration for funding.

5. After finishing its review and evaluation of proposals, the Steering Committee submits its budget recommendation to City Council. City Council will review recommendations it receives and prepare a Proposed Annual Action Plan (Budget). City Council will then schedule a public hearing and present its Proposed Annual Action Plan. Citizens will have 30 days to comment on the proposed activities in the Proposed Annual Action Plan as well as the needs of low and moderate residents and performance of the Community Development Program in meeting its stated objectives. Upon completion of the public hearing, City Council will adopt a Proposed Annual Action Plan that will subsequently be published in the local newspaper of general circulation. Residents will have an opportunity to submit comments to the City on program needs, performance and proposed activities. At the end of the comment period, City Council will evaluate all comments and recommendations it has received, modify its Proposed Annual Action Plan, if warranted, and prepare a final Annual Action Plan (Budget). The Final Annual Action Plan will be presented at a public hearing before City Council. At this time, residents will have the opportunity to comment on the proposed activities as well as program needs and performance. Upon completion of the public hearing, City Council will adopt a Final Annual Action Plan, which along with the City's required certifications are sent to the Area Office of Housing and Urban Development for review and approval.

#### IV. Program Implementation and Amendments

- A. Program Implementation: Upon approval of the Final Annual Action Plan, the Community Development Department shall be responsible for initiating and monitoring the implementation of the proposed activities contained in the budget in accordance with the stated objectives. Day-to-day operational decisions and actions necessary to ensure implementation of projects shall be the function of the Department and will not generally be subject to Steering Committee review. However, the Steering Committee will be advised of the status and progress of projects throughout the year. Also, the Steering Committee will receive a project status report prepared by Community Development staff four times per year to keep them informed on program implementation.
- B. Amendments to the Program: Any amendment to the Community Development program as set forth in approved applications will be presented to the Steering Committee for their information and recommendation. An amendment constitutes a significant change to the application, such as adding, deleting or significantly changing project scopes or allocations. Individuals, organizations or City Departments proposing such changes may be invited by the Committee to make a brief presentation to explain and comment on the changes prior to making recommendations to City Council. A notice of a proposed amendment will be published in the local general circulation newspaper in order to provide residents with reasonable notice and opportunity to comment on the proposed changes. The Department will consider comments on the proposed changes. The Department will consider comments

received and may modify the proposed changes if warranted. All amendments must be submitted to City Council for review and approval. Upon approval, amendments will be submitted to the Housing and Urban Development Area Office. A description of all changes adopted will also be available to the public at the Community Development office during normal business hours.

- C. Role of Steering Committee: The Steering Committee shall serve in an advisory role in reviewing and making recommendations to City Council on proposed amendments to the program. Decisions subject to the Steering Committee review may include amendments to approved applications, significant changes in the scopes or amount of funds allocated to previously approved projects and other changes which might significantly alter the operation or nature of a project. The Steering Committee will not review routine, operational matters related to program implementation, even though City Council action may be required on such matters. Examples of such decisions include actions necessary to acquire property (including resolutions determining the property to be acquired, the selection and execution of contracts with appraisers, the determination of the fair market value for the subject property, negotiation with property owners, and authorization for the Mayor to sign contracts of sale) and actions necessary to award bids and execute construction contracts (including resolutions authorizing the Mayor to sign contracts and the execution of change orders with contractors where such change orders are necessary to implement a project without altering the purpose and intent of a given project).

V. Assessment of Performance

- A. Public Hearings on Performance and Comment Process: Citizens are encouraged to comment on the performance of the City's Community Development Program and the extent to which project activities achieved their objectives. Comments, inquiries and complaints may be submitted to the Community Development office or to any Steering Committee or City Council member. Community Development staff will respond to inquiries and comments received as expeditiously as possible. Verbal complaints shall be reduced to writing by the Community Development staff and an appropriate response provided. Written complaints will be responded to in writing by the Community Development office within (15) working days of their receipt. Citizen comments, inquiries and complaints may also be presented at public hearings or at Steering Committee meetings (an opportunity for citizen comment is regularly included on the agenda). As stated previously, each year a public hearing on program performance and needs is conducted at a regularly scheduled City Council meeting specifically held to solicit citizen comments on approved activities as well as proposed activities.

Community Development staff will review all comments, complaints and suggestions received in assessing program performance and the extent to which projects and activities achieved their objectives. The results of these assessments will be taken into consideration in the planning and selection of

future projects and activities proposed for Community Development funding.

B. Performance Reporting: The Department of Community and Human Development annually prepares a Consolidated Annual Performance and Evaluation Report that includes:

- Activity Summary
- Status of Funds
- Direct Benefit Activities
- Actions to Affirmatively Further Fair Housing
- Displacement

This report also contains an assessment by the Department of the relationship of the use of Community Development Block Grant funds to the Community Development Objectives described in the Final Annual Action Plan.

Upon completion of the Consolidated Annual Performance and Evaluation Report, it is forwarded to the Area Office of the Department of HUD. Simultaneously, a Public Notice in English and Spanish shall be placed in a non-legal section of the newspaper of general circulation in the El Paso area making the Report available to citizens. It is available at no charge at the Office of Community and Human Development, and at the Main Public Library, the UTEP Library, each branch Library, and at all the El Paso Community College Campus Libraries for review. (See Appendix A for locations)

C. Conduct of Public Hearings and Neighborhood Meetings:

All public hearings and neighborhood meetings will be held at convenient times and locations that permit participation by citizens and organizations. All sites selected will be fully accessible to persons with disabilities. Such hearings and meetings will be conducted in English and Spanish as requested by those attending.

The Department of Community and Human Development will make every reasonable effort to inform citizens, particularly low - and moderate-income persons and residents of eligible areas, of the schedule and purpose of these hearings and neighborhood meetings. The Department will publicize these hearings and neighborhood meetings through various media, the City's website, neighborhood associations and organizations serving low- and moderate-income persons to encourage citizen input. The purpose and procedures of both the Community Development Program and the particular public hearing or neighborhood meeting will be explained in sufficient detail to allow citizens to understand and effectively contribute to the program.

VI. Available Information

The City shall provide full and timely disclosure of its program records and information consistent with applicable laws and regulations regarding personal privacy and confidentiality. Copies of the following material shall be available for citizen review, upon request, between 8:00 a.m. and 5:00 p.m., Monday through Friday, at the Department of Community Development, City Hall, #2 Civic Center Plaza, Eighth Floor:

All mailings and promotional material;

The Citizen Participation Plan and schedules of public hearings;

The records of CD public hearings;

The proposed and approved application for the current year;

All prior applications including letters of approval and grant agreements;

All Performance Reports, Status Reports and other reports that may be required by HUD;

Displacement Strategy; and

Copies of the regulations governing the Community Development Program and documents on other important program requirements.

Revised July, 2004

**APPENDIX A**

**LOCATIONS OF LIBRARIES**

Main Library  
501 N. Oregon Street  
543-5433

Cielo Vista Branch Library  
8929 Viscount Street  
591-6812

Clardy Fox Branch Library & Literary Center  
5515 Robert Alva Avenue  
772-0501/779-2400

Lower Valley Branch Library  
7915 San Jose Street  
591-3391

Memorial Park Branch Library  
3200 Copper Avenue  
566-1034

Richard Burgess Branch Library  
9600 Dyer Street  
779-2400

Westside Branch Library  
125 Belvidere Street  
581-2024

Ysleta Branch Library  
9321 Alameda Avenue  
858-0905

Armijo Branch Library  
620 E. Seventh Street  
533-1333

Irving Schwartz Branch Library  
1865 Dean Martin Drive  
857-0595

Doris Van Doren Regional Library  
551 Redd Road  
Opening August 2004

UTEP Library  
500 W. University Street  
747-5672

EPCC Valle Verde Campus  
919 Hunter Street  
831-2442/2645

EPCC Northwest Campus Community Library  
6701 S. Desert Boulevard  
831-8840

EPCC Mission del Paso Library  
10700 Gateway East  
831-7040/7057

EPCC Rio Grande Library  
111 N. Oregon Street  
831-4019

EPCC Transmountain Library  
9570 Gateway North  
831-5092

Library Bookmobile