

AMENDED AND RESTATED CITIZEN PARTICIPATION PLAN



Guam Housing and Urban Renewal Authority
117 Bien Venida Avenue, Sinajana, GU 96932
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CITIZEN PARTICIPATION PLAN

Introduction

Guam is committed to providing opportunities for its citizens to participate in an advisory role in the planning, implementation and assessment of its Consolidated Plan (ConPlan), the Annual Action Plan (AAP), the Consolidated Annual Performance Evaluation Report (CAPER), and the Assessment of Fair Housing (AFH). In order to encourage and support participation of citizens, Guam Housing and Urban Renewal Authority (GHURA) will provide adequate information, hold public forums and hearings, and give citizens the opportunity to comment on Guam's plan for implementation and assessment of federal funds. To be eligible to receive U.S. Housing and Urban Development funds, GHURA must adopt a Citizen Participation Plan, and the plan must be incorporated into noticing requirements as set forth by 24 CFR Part 91.105.

The Consolidated Plan identifies top priority community development needs for a five-year period. It describes the general over-arching community development needs of Guam and describes strategies for addressing these needs. *The Annual Action Plan* contains a description and budget for individual activities to be undertaken in each program year with funds made available through the U.S. Department of Housing and Urban Development ("HUD"). These funds come from the Community Development Block Grant (CDBG) Program, HOME Investment Partnership (HOME) Program, and the Emergency Solution Grant (ESG). *The Consolidated Annual Performance Evaluation Report* is the annual assessment of Guam's affordable housing and community development needs and market conditions. *The Assessment of Fair Housing* is an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

Citizen participation is essential for an effective and viable program. GHURA recognizes that exchange of information among citizens and government employees will allow for a stronger, more responsive housing and community development effort on Guam.

The Citizen Participation Plan and related documents will be made available for persons with disabilities and for non-English speaking persons. Interpreters for those with limited English proficiency will be made available to explain the Citizen Participation Plan, as well as provide summaries of basic information about the ConPlan, AAP, CAPER, and the AFH. This is subject to individuals requesting these services from GHURA and allotting a five-day notice to make the necessary arrangements.

Program Year and Funding Availability

Guam's program year runs from October 1 through September 30. The public is notified about the availability of the funding for CDBG, HOME and ESG projects in the same way documents for review are noticed. This includes publication in local news journals and websites.

HUD's Community and Planning Development agency (CPD) awards eligible communities a grant as an "entitlement" based upon factors such as population, poverty, overcrowding and substandard housing conditions on Guam. One of the main grants is the Community Development Block Grant (CDBG). The

following are the statutory goals of the CDBG Program: a) Provide decent, safe housing; b) Provide suitable living environments; and c) Increase economic opportunities.

Opportunities for Citizen Participation

The Citizen Participation Plan identifies opportunities for citizen engagement, describes how citizens will be notified of such opportunities, states how complaints related to the CPD programs will be addressed, and provides information on technical assistance available to help with preparing funding proposals.

All citizens, including low- and moderate-income persons, persons living in low- and moderate- income neighborhoods, minority populations, non-English speaking persons, persons with disabilities, homeless persons and residents of public and assisted housing developments are encouraged to participate in the development and review of the CPD programs.

The Citizen Participation Plan includes the following elements:

1. Identification of community needs during the preparation of the Five-Year Consolidated Plan
2. Technical Workshops and Outreach Meetings
3. Public Hearings
4. Access to Information
5. Comment Periods for the General Public
6. Substantial Amendments
7. Citizen Complaint Process
8. Assessment of Fair Housing/Analysis of Impediments to Fair Housing Choice
9. Displacement

1. Identifying Community Needs

HUD regulations require Guam to seek public input to identify community needs. Thus, Guam must consult with low-and-moderate income residents, the general public, local government agencies, businesses, and nongovernmental organizations that work in housing, and economic and community development in the formulation of the plans. Identifying community needs could be in the form of consultative meetings, surveys and questionnaires and focus groups.

To encourage community involvement, public hearings will be held on the draft versions of the reports and plans. Written public comments will also be accepted on the draft versions of the ConPlan, the AAP, CAPER, and AFH. If a substantial amendment is made to any final report, an additional public hearing will be held to obtain citizens' views on those changes. Such hearings will be noticed in advance in news journals of general circulation and on the GHURA website.

2. Technical Workshops and Outreach Meetings

Each year, GHURA conducts at least one technical briefing prior to the due date for funding proposals. The briefing is open to the public, and the specific time and location is published in the local newspaper. The briefing is intended to assist prospective applicants for funding with the application process.

Additionally, GHURA staff will provide technical assistance to organizations, government agencies and residents seeking additional information. All potential applicants for funding are encouraged to contact GHURA staff for technical assistance before completing an application.

3. Public Hearings

GHURA will conduct separate public hearings to gather input on the Annual Action Plan, ConPlan, Substantial Amendments, CAPER, and AFH. All public hearings will be held at accessible locations, and provisions will be made for people with disabilities when requests are made at least five working days prior to a hearing. Similarly, interpreters will be made available for individuals with limited English proficiency upon request at least five working days ahead of a hearing.

The hearings will be scheduled after the public has had time to review the documents during the review and comment period. All hearings will be publicly noticed in a local newspaper of general circulation. GHURA will give careful consideration to all comments and views expressed by the public, whether given as oral testimony at the public hearing or submitted in writing. Citizen comments will be included in the reports, as well as explanations as to why any comments were not accepted. Public comments will continue to be accepted for a limited time after a public hearing is held.

Exception: Due to COVID-19, HUD determined if national/local health authorities recommend social distancing and limiting public gatherings for public health reasons, in-person public hearings are not required. GHURA will have the option to hold virtual meetings if virtual hearings provide reasonable notification and access for citizens, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

4. Access to Information

As required by law, GHURA will provide the public with reasonable and timely access to information and public records relating to the data or content of the Annual Action Plan, ConPlan, CAPER, and the AFH. GHURA will also provide the public with reasonable and timely access to proposed, actual and past use of funds covered by the Citizen Participation Plan. It should be noted that the law requires reasonable access to records about any uses of these funds from the previous five years. Finally, GHURA will provide the public with reasonable and timely access to local meetings relating to the proposed use of funds such as Board Meetings.

All documents referenced in this Plan will be made available to the public for review and comment through the following means:

- Posted to GHURA's web page: www.ghura.org;

- Available for review at the GHURA Main Office at 117 Bien Venida Avenue, Sinajana, Guam 96910;
- Mailed to interested parties upon request; and
- Provided at public hearings.

5. Comment Periods for the General Public

The general public will be provided an opportunity to submit comments orally or in writing at the public hearings. Written comments pertaining to the AAP, CAPER, AFH, Five-Year ConPlan and substantial amendments also will be accepted during the designated review and comment periods. GHURA will publish a summary of the plans in the local newspaper of general circulation identifying the date and time for written comments to be submitted and the address where comments will be received. GHURA will also make hardcopies of the reports available at their main office, and digital copies available online via the GHURA website.

Except for records exempt from disclosure under the Freedom of Information Act, the public will have reasonable and timely access to public records including the following:

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|---------------------------------------|---|
| 1. <i>Five-Year Consolidated Plan</i> | 4. <i>Substantial Amendments, if applicable</i> |
| 2. <i>Annual Action Plan</i> | 5. <i>Assessment of Fair Housing</i> |
| 3. <i>CAPER</i> | 6. <i>Citizen Participation Plan</i> |

Upon request by the general public or other interested parties, GHURA may have up to two business days to obtain such public records for review by the requesting party at no cost. These materials will be available in a form accessible to persons with disabilities when requested.

6. Substantial Amendments

The Citizen Participation Plan is triggered if there is a substantial amendment made to the Annual Action Plan or the Five-Year ConPlan. Substantial Amendments are defined by the regulations in 24 CFR Part 91.505 and Guam’s Citizen Participation Plan. Minor adjustments in funding levels for public services, housing activities and administration due to differences in actual program income *verses* anticipated program income should not be considered substantial.

Exception: In situations when disaster strikes and CPD funds are required to meet an urgent need, a substantial amendment in the form of reprogramming of funds can take place without public notice. This exception to the Citizen Participation Plan is granted under extenuating circumstances, such as in times of a disaster declaration. **In addition, due to COVID-19, HUD waives the 30-day minimum for the required public comment period for substantial amendments, provided that no less than 5 days are given for public comments on each substantial amendment through the end of Program Year 2020.**

Per Guam’s Citizen Participation Plan, the following will be considered a substantial amendment:

1. *A meaningful change in the location of an activity.*
 - a. *If a project is moved from one village to another village*

- b. If a project is being relocated within the same village, but now substantially changes the environmental impact on the area*
- 2. *A substantial change in the use of CPD funds from one eligible activity to another eligible activity is defined as any change in the allocation of funds for a specific activity that constitutes more than thirty percent (30%) of the original total funds available or allocated to that activity.*
 - a. Example #1: Project A has an original budget of \$1,000,000. \$30,000 from Project A will be re-programmed to Project B, which has an original budget of \$50,000. A substantial amendment is triggered because there has been an increase of 60% from Project B's original budget.*
 - b. Example #2: A Public Service Project has an original budget of \$150,000, of which \$48,000 will be reprogrammed to a Public Facilities Project that has an original budget of \$800,000. The revised budget for the Public Facilities Project is now \$848,000. A substantial amendment is triggered because there has been a 32% change in the Public Service Project's original budget.*
- 3. *An activity not previously described in the Annual Action Plan shall be defined as a substantial change if the new activity is allocated more than \$25,000 of federal funds.*
- 4. *A change in the type of characteristics of beneficiaries of an activity qualifies as a substantial amendment. Examples include:*
 - a. The HUD-recognized income levels of 0-30% of area median income (AMI); between 31%-50% of AMI; between 51%-80% of AMI.*
 - b. Renter, homebuyer, or homeowner*
 - c. Single households, small households (two-four persons), or large households (five or more persons).*

Any substantial amendment to the ConPlan or Annual Action Plan will only be incorporated into the document after a public notice has been provided to the public, and all parties have been given an opportunity to review and provide comment.

7. Citizen Complaint Process

GHURA must consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final Consolidated Plan, Annual Action Plan, Performance Report, amendments, Assessment of Fair Housing, and Participation Plan.

GHURA is also responsible for responding to complaints from citizens regarding the funding process. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the final Consolidated Plan, Annual Plan, amendment of the Plan, Assessment, or Performance Report.

Written complaints should be addressed to GHURA's Chief Planner at GHURA, 117 Bien Venida Street, Sinajana, Guam 96910. Complaints must include the name, telephone number and address of the complainant. The Chief Planner will provide a timely, substantive written response to every citizen complaint within 15 business days, as required by federal regulation. If the complainant is not satisfied with

the Chief Planner's response, further appeals should be addressed to the Executive Management at GHURA, 117 Bien Venida Street, Sinajana, Guam 96910.

Discrimination Complaints

When the complainant's concern is of a discrimination-related nature (e.g., discrimination on the basis of physical or mental disability, race, creed, color, sex, marital status, familial status, religion, national origin, and/or ancestry, or other legally protected classes) the complainant should immediately contact one of the following resources:

- Guam's Fair Housing Coordinator - GHURA, 117 Bien Venida Avenue, Sinajana, Guam 96910; Phone: (671) 475-1322.
- HUD Fair Housing Hotline - Phone: (800) 669-9777

8. Displacement

GHURA will make every effort to minimize the displacement of persons occupying low-income housing. If Guam should undertake activities using CPD funds that result in the displacement of individuals, Guam will follow federal regulations under 24 CFR 570.606(c) and 24 CFR 92.353 regarding relocation plans, replacement of housing and costs before funding is allocated.

Changing the Citizen Participation Plan

The Citizen Participation Plan can be amended with input from local residents, organizations, and other interested persons. Any substantial change to the Citizen Participation Plan must be made available for public review and comment. The following process will take place:

1. GHURA will publish a public hearing notice to consider an amendment to the Citizen Participation Plan. The notice will be published at least 15 days prior to the hearing.
2. GHURA will consider all oral and written comments regarding the amendment(s) to the Citizen Participation Plan prior to the final preparation of the document.
3. A summary of comments received during the 30-day review and comment period will be attached to the amended plan.
4. The Board of Commissioners will review and vote on approving the amendment(s).

Exception:

Due to COVID-19, HUD allows grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances through the end of Program Year 2020. As a result, GHURA has amended its citizen participation plan to establish expedited procedures to draft, propose, or amend consolidated plans for emergency responses. GHURA will publish a notice and accept comments regarding the amendment(s) to the Citizen Participation Plan prior to the final preparation of the document for no less than 5 days. To provide the public opportunity to comment, GHURA will utilize more than one of the

following: press releases, publishing on GHURA's website, and paid advertisements on generally circulated publications. Comments will be accepted via email, phone calls, and paper submissions.

Citizen Participation Plan Timeline

Document	Public Notice #1	Public Notice #2	Public Briefing/ Public Hearing	Public Notice #3	End Date
<ul style="list-style-type: none"> • Notice of Funding Availability 	<p>To be available to the public for at least 60 days prior to deadline.</p> <p>(Ex. Jan. 30 for Mar. 31 deadline)</p>	<p>To be published at least 24 hours prior to Public Briefing.</p> <p>(Ex. Feb. 14)</p>	<p>To be held at least 15 days after Notice #1 has been published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> <p>(Ex. Feb. 15)</p>	<p>To be published at least 15 days prior to deadline.</p> <p>(Ex. Mar. 13 for Mar. 31 deadline)</p>	<p>Applications will be accepted for a minimum of 60 days after the Public Notice #1.</p>
<ul style="list-style-type: none"> • Annual Action Plan (AAP) • Consolidated Annual Performance & Evaluation Report (CAPER) • Substantial Amendment • Citizen Participation Plan (Amendment) 	<p>Notice #1 will call for public comments on the Draft; to be available to the public for at least 30 days.</p>	<p>Notice #2 will call for Public Hearing on the Draft; to be published at least 24 hours prior to Public Hearing.</p>	<p>To be held at least 15 days after Notice #1 has been published; to be scheduled at 10AM or 10:30AM at a convenient location.</p>	N/A	<p>Comments will be accepted for a minimum of 15 days after the Public Hearing date.</p>
<ul style="list-style-type: none"> • 5-Year Consolidated Plan (ConPlan) • Assessment of Fair Housing (AFH) 	<p>Notice #1 will call for public hearing while document is in development.</p>	<p>Notice #2 will call for public comments on the completed Draft; to be published at least 15 days prior to Public Hearing. Draft will be available to the public for at least 30 days.</p> <p>(Ex. Sept. 15)</p>	<p>A minimum of 2 public hearings will be held for the ConPlan and AFH.</p> <p>Public Hearing #1 to be held at least 15 days after Notice #1 is published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> <p>Public Hearing #2 to be held at least 15 days after the draft document has been published; to be scheduled at 10AM or 10:30AM at a convenient location.</p> <p>(Ex. Oct. 1)</p>	<p>Notice #3 will call for public comments on completed Draft; to be published at least 7 days prior to deadline.</p> <p>(Ex. Oct. 9)</p>	<p>Comments will be accepted for a minimum of 15 days after the Public Hearing on the draft document.</p> <p>(Ex. Deadline to accept comments is Oct. 16).</p>