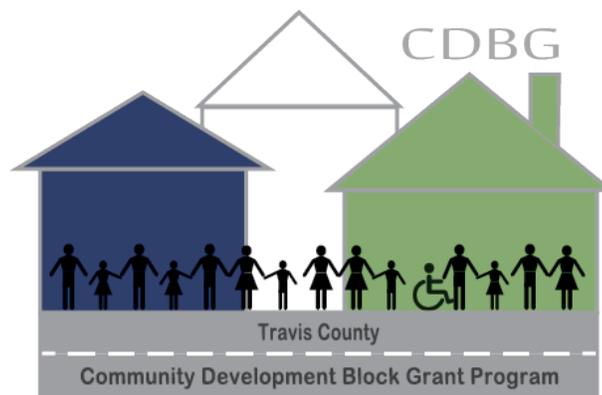


JUNE 2020

# TRAVIS COUNTY

## CITIZEN PARTICIPATION PLAN (CPP)



Travis County HHS  
CDBG Office  
P.O. Box 1748  
Austin, TX 78767  
cdbg@traviscountytx.gov  
<https://www.traviscountytx.gov/health-human-services/cdbg>

# Travis County Citizen Participation Plan

## I. Background/References

This Citizen Participation Plan is subject to the requirements of the following Federal Regulation:

Title 24: Housing and Urban Development Code of Federal Regulations

Part 91—Consolidated Submissions for community Planning and Development Programs

## II. General Provisions

### A. Purpose

The purpose of this plan is to outline the method by which Travis County Health and Human Services (TCHHS) will encourage public participation in the planning and implementation of its U.S. Department of Housing and Urban Development (HUD)-funded Community Development Block Grant (CDBG) program. Travis County is required to prepare and submit a Consolidated Plan every three, five or six years, Action Plans on an annual basis and an Assessment of Fair Housing. The consolidated planning process requires that each jurisdiction adopt a citizen participation plan.

Travis County's Citizen Participation Plan (CPP) outlines the notification procedures by which residents, public agencies and other interested parties will be notified of public hearings and the opportunities available for the public to comment on community needs, planned use of funds and performance of all CDBG funded projects. In addition, the plan outlines how Travis County will ensure accessibility of all meeting notices, public hearings, and posted documents for public review to all segments of the population, including people with unique needs, language barriers, or limited ability.

The CPP applies to the following areas of planning for the use of affordable housing, community and economic development made possible through CDBG funding:

1. The Citizen Participation Plan, itself;
2. The Consolidated Plan;
3. The annual Action Plan;
4. The Consolidated Annual Performance and Evaluation Report (CAPER);
5. The Assessment of Fair Housing (AFH); and
6. Disaster Response and Recovery Funds

### B. Jurisdiction

The Travis County CDBG service area includes the unincorporated areas of the County and incorporated areas that choose to participate in the jurisdiction through the Urban County renewal process. As such, community development and housing opportunities in

geographic areas in the unincorporated areas and participating incorporated areas will be considered. The Urban County renewal process occurs every three years and is confirmed annually.

### **C. Lead Agency**

Travis County's lead agency for administering CDBG funds is the Health and Human Services Department. As the lead agency, TCHHS is responsible for developing the Citizen Participation Plan, the Assessment of Fair Housing, Consolidated Plan, annual Action Plans, and the Consolidated Annual Performance and Evaluation Report (CAPER).

### **D. Contact**

The following contact information can be used to:

1. Request accommodations for meetings or access to information;
2. Request information and standard documents;
3. Provide public comments on CDBG planning documents.

**Telephone:** 512.854.3460

**Email:** [cdbg@traviscountytexas.gov](mailto:cdbg@traviscountytexas.gov)

**Mail:**

Travis County Health and Human Services  
CDBG Program  
P.O. Box 1748  
Austin, TX 78767

**Website:** [www.traviscountytexas.gov/health-human-services/cdbg](http://www.traviscountytexas.gov/health-human-services/cdbg)

## **III. General Policies and Procedures**

### **A. Accessibility**

Reasonable accommodations for people with disabilities and non-English speaking populations will be made. Meetings will be made accessible by choosing locations that are ADA compliant, when available. Residents may contact the CDBG office five business days prior to a meeting date to request an American Sign Language or Spanish interpreter be present at any public meeting (for contact information see Section II: D, above.)

Meeting notices and presentation materials will be provided in English and Spanish. In addition, Census data will be analyzed to identify areas where non-English speakers reside. If more than 20% of the County's population speaks a language, notices and some materials will be translated into that language. If more than 1,000 people within the county speak a language other than English reasonable accommodations will be made

with possible accommodations including but not limited to, interpreters, upon request, at public hearings and meeting notices.

Meeting notices will include contact information for TTY or the Texas State Relay number for those who are hearing impaired.

## **B. Access to Information Standard Documents**

Standard documents and information regarding use of funds will be provided to residents, public agencies and other interested parties, through various media formats (written, internet, etc.) including those most affected by proposed projects. Opportunities to receive information, review standard documents and submit comments will be provided with reasonable notice and time allowed. The information will be retained and available for public review for no less than five years after approval by Travis County Commissioners Court.

Standard documents include the Plan to Minimize Displacement, the Assessments of Fair Housing, annual Fair Housing Reports, Consolidated Plans, annual Action Plans and the annual Evaluation Reports will be located on the County's website. To review any standard document in print format, please contact the CDBG Office as outlined in Section II, D.

Throughout the CPP, Travis County Commissioners Court is mentioned as a source of information. Travis County Commissioners Court is streamed live with closed captioning through the County website and the County's public access TV channel. The recorded meeting can be viewed after the meeting date online or replayed throughout the week on the TV channel. Contact information for the program is routinely provided during the Commissioners Court meetings. The Travis County Commissioners Court agenda is posted via the Travis County website prior to each voting session in accordance with applicable laws. The County website is located at [www.traviscountytx.gov](http://www.traviscountytx.gov).

## **C. Public Notice**

Travis County HHS will post notices of public hearings and community meetings, including times, dates, and locations, at least fourteen (14) days prior to the date of the hearing or meeting. Notices may be posted in any of the following ways: Newspapers of general circulation, Travis County Community Centers, social service agencies that target low- to moderate- income residents, Travis County website, social media, public access TV station, radio, direct mail outs through U.S. postal service, direct emails to resident and provider mailing lists, and posting to listserves.

In the event of a declared disaster that requires expedited procedures to draft, propose, or amend consolidated plans, Travis County HHS will post notices of public hearings and

community meetings, including times, dates, and locations with reasonable notice in advance.

In response to COVID-19, effective April 9, 2020, Travis County requested the use of the following HUD waivers:

- Citizen Participation Public Comment Period for Consolidated Plan Amendment, which waives 24 CFR 91.105(c)(2) and (k), in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG funds. 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. The waiver is available through the end of Travis County's 2020 program year. Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan.
- *Citizen Participation Reasonable Notice and Opportunity to Comment*, which waives 24 CFR 91.105 (for local governments) that sets forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. The citizen participation plan must state how reasonable notice and opportunity to comment will be given. Therefore, Travis County establishes reasonable notice and opportunity to comment in response to COVID-19 will be at least five (5) days prior to the date of the hearing or meeting. This waiver is effective through the end of the 2020 program year.

#### **D. Technical Assistance**

Technical assistance will be made available by appropriate Travis County staff to assist low- and moderate-income representative groups or agencies that request such assistance in developing proposals for funding assistance under this consolidated plan and to provide comments for the AFH.

Appropriate staff will be assigned based on expertise required for the specific proposal. The TCHHS County Executive determines the level and types of assistance to be provided at any time based on a number of considerations including, but not limited to, space, expense, and staff workloads.

#### **E. Response to Complaints**

All complaints must be in writing. If a person is unable to provide the complaint in writing for any reason, assistance may be provided.

Complaints need to include the resident's name, address and daytime telephone number, if applicable, in case TCHHS staff need to clarify the nature of the complaint.

All written complaints will receive a timely written response mailed within fifteen (15) working days of receipt of it. If CDBG Staff is unable to be compliant with the fifteen (15) working day period, the complainant will be notified of an approximate date a response will be provided.

It is up to the discretion of the Travis County Health and Human Services Department to determine if a public hearing regarding an issue is needed. If a public hearing is needed, appropriate notice and location(s) of the hearing will be made, depending upon the implications of the issue.

**Complaints or Grievances should be sent to:**

Travis County Health and Human Services  
CDBG Program  
P.O. Box 1748  
Austin, TX 78767

**F. Plan to Minimize Displacement**

A summary of the County's Plan to minimize displacement of persons as a result of the County's proposed activities, and any activities likely to result in displacement, will be posted. This Plan will describe how Travis County will compensate people who are actually displaced as a result for the use of these funds, specifying the type and amount of compensation. A summary of Plan to Minimize Displacement can be found in Appendix A.

**IV. Participation Opportunities**

Community engagement and participation is an essential goal of the CDBG program and the residents of Travis County are essential to the development of planning documents and activities. Travis County encourages community participation in the development of its Citizen Participation Plan (CPP), Consolidated Plan, Annual Action Plans, Consolidated Annual Performance Evaluation Report (CAPER), Assessment of Fair Housing (AFH), and any disaster response or recovery funds, particularly in low- to moderate- income target areas. The following section outlines the various ways in which the community may participate in planning activities for the CDBG program and provide input on planning and reporting documents.

**A. Citizen Participation Plan**

Travis County's Citizen Participation Plan (CPP) outlines the notification procedures by which residents, public agencies and other interested parties will be notified of public

hearings and the opportunities available for public to comment on community needs, planned use of funds and performance of all CDBG funded projects.

*1. Public Comment*

Travis County HHS will draft the Citizen Participation Plan (CPP) and present it to the Travis County Commissioners Court during a regularly scheduled voting session. After presentation to Travis County Commissioners Court, the CPP will be posted for written comment for one (1) week prior to approval by the Travis County Commissioners Court.

Comments on the CPP may be received via phone and email to the Travis County Health and Human Services CDBG staff (see Section II: D, above.) The CPP will be posted on the Travis County website and copies will be located at the seven (7) Travis County Community Centers for public review.

*2. Amendments*

Once approved by the Travis County Commissioners Court, any changes to the Citizen Participation Plan must go through a fifteen (15) day public comment period after the draft presentation to the Travis County Commissioners Court. Written comments may be submitted to CDBG staff via email or mail (see Section II: D, above.) No public hearing is required.

Travis County will document and report all public comments from citizens, public agencies, and other interested parties in preparing its final submission. Public comments will be considered when feasible and beneficial, preceding final approval of Travis County Commissioners Court.

**B. Consolidated Plan**

The Consolidated Plan presents a coordinated approach for addressing Travis County's housing and community development needs over a five year period. A new Consolidated Plan is prepared every five years. It combines, in one report, important information about Travis County demographics, as well as information on the housing and other community development needs of its residents.

*1. Public Hearings*

Public Hearings are held at two different times during the development of the Consolidated Plan. All hearings will include an overview of the amount of funds expected from CDBG, the purpose and intent of CDBG dollars, and eligible activities. Public Hearings will be held at Travis County Commissioners Court during the normally scheduled voting session. Hearings will be held in the traditional public hearing format with oral testimony. In the event that national, state, and/or local health authorities

recommend social distancing and limiting public gatherings for public health reasons, the public hearing may be held in a virtual format. Travis County virtual hearings will provide reasonable notification and access for citizens in accordance with the Citizen Participation Plan, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

- a. One (1) public hearing will be held to inform the Needs Assessment of the Consolidated Plan, and participants can provide input regarding their housing, community development and public service needs.
- b. One (1) public hearings will be held during the Public Comment period for the Consolidated Plan to inform and enable the community to comment on the proposed uses of CDBG funds.

## 2. *Community Meetings*

In order to more effectively gather information on community needs from the residents of the CDBG service area, CDBG staff will prioritize participation in community meetings with residents and neighborhood groups. Staff will identify groups that serve protected classes, with reference to geography and any other HUD requirements for program participation as guidance is received from HUD. Staff will work with these groups to convene or attend scheduled meetings in order to provide information about the CDBG grant and gather information on community needs.

In the event that national, state, and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons, CDBG staff will make reasonable efforts to gather information on community needs from the residents of the CDBG service area by participating in phone or virtual meetings.

Any information gathered in the twelve months prior to March 31<sup>st</sup> of the calendar year in which the plan is due will be used for Consolidated Plan development.

## 3. *Consultations*

In the development of the Consolidated Plan, consultations with other public and private agencies will occur including, but not limited to, the following:

- Local public housing authorities;
- Other assisted housing providers;
- Social service providers including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDs and their families, and homeless persons;
- Community-based and regionally-based organizations that represent members of protected classes;

- Organizations that enforce fair housing laws and other public and private fair housing service agencies;
- Broadband Internet Service Providers and organizations engaged in narrowing the digital divide;
- Agencies whose primary responsibilities include management of flood prone areas, public land or water resources and emergency agencies;
- The Continuum of Care that serves Travis County;
- 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 veterans, youth, and/or other persons with special needs;
- Publicly funded institutions and systems of care that may discharge persons into homelessness;
- Business and civic leaders.

A variety of mechanisms may be utilized to solicit input from these entities. These could include but are not limited to staff participation on coalitions or boards, telephone or personal interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

#### 4. *Surveys and Participation Forms*

For the development of the Consolidated Plan, residents, social service providers and community groups may complete a survey that assesses perceptions of community needs. Surveys will be available throughout the year, via links on the CDBG website and annually will be distributed electronically to residents that have requested information on the program and public agencies that serve residents in the CDBG service area.

Participation Forms that collect information on residents' perceptions of community needs may be used to collect data at community meetings. In addition, copies of the participation form will be available in the Travis County Community Centers to increase resident participation in the information gathering process. Surveys will be available in both English and Spanish. For other accommodations, contact the CDBG office (see Section II: D, above.)

Any data collected in the twelve months prior to March 31st of the calendar year in which the plan is due will be used for development of the Consolidated Plan.

#### 5. *Public Comment*

Travis County HHS will draft the Consolidated Plan and present it to the Travis County Commissioners Court during a regularly scheduled voting session. After presentation to Travis County Commissioners Court, the Plan will be posted for written comment for thirty (30) days prior to approval by the Travis County Commissioners Court. Comments on the Plan may be received in writing via email or regular mail to the Travis County Health and Human Services CDBG staff (see Section II: D, above.)

The Plan will be posted on the Travis County website and copies will be available at the seven (7) Travis County Community Centers for public review. Notification of availability of the draft will appear in newspaper(s) of general circulation.

Travis County will document and report all public comments from residents, public agencies, and other interested parties in preparing its final submissions. A concise summary of the community participation process, public comments received in writing or orally at public hearings and responses to those comments will be included in the final draft of the Consolidated Plan.

#### *6. Substantial Amendments*

A substantial amendment to the Consolidated Plan will occur when an unforeseen need arises during the ConPlan period which influences the strategic plan and the investment of resources.

The amendment process shall include:

- a. public notice,
- b. a thirty (30) day public comment period, and
- c. One (1) public hearing at Travis County Commissioners Court during the public comment period.

Amendments to the Consolidated Plan may take place at any time during the program year.

Travis County will document and report all public comments from citizens, public agencies, and other interested parties in preparing its final submissions. Public comments will be considered when feasible and beneficial, preceding final approval of Travis County Commissioners Court.

### **C. Annual Action Plan**

Each year the County must prepare an annual Action Plan that outlines the amount of CDBG funding available for the program year (October 1-September 31), and the proposed uses of the funds to achieve the goals outlined in the Consolidated Plan. This annual plan, prepared with public review and comment, must be submitted to HUD annually, no later than August 15.

### *1. Public Hearings*

Public Hearings are held at two different times during the development of the Annual Action Plan. All hearings will include an overview of the amount of funds expected from CDBG, the purpose and intent of CDBG dollars, and eligible activities. In the year that the Consolidated Plan is developed, the public hearings for input on the Annual Action Plan and Consolidated Plan will be held at the same time. Public Hearings will be held at Travis County Commissioners Court during the normally scheduled voting session. Hearings will be held in the traditional public hearing format with oral testimony. In the event that national, state, and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons, the public hearing may be held in a virtual format. Travis County virtual hearings will provide reasonable notification and access for citizens in accordance with the Citizen Participation Plan, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

- a. One (1) public hearing will be held to inform the Needs Assessment of the Action Plan, and participants can provide input regarding their housing, community development and public service needs.
- b. One (1) public hearing will be held during the Public Comment period for the Action Plan to inform and enable the community to comment on the proposed uses of CDBG funds.

### *2. Community Meetings*

In order to more effectively gather information on community needs from the residents of the CDBG service area, CDBG staff will prioritize participation in community meetings with residents and neighborhood groups. Staff will identify groups that serve protected classes, with reference to geography and any other HUD requirements for program participation as guidance is received from HUD. Staff will work with these groups to convene or attend scheduled meetings in order to provide information about the CDBG grant and gather information on community needs.

In the event that national, state, and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons, CDBG staff will make reasonable efforts to gather information on community needs from the residents of the CDBG service area by participating in phone or virtual meetings.

For Action Plans submitted after January 1, 2019, any information collected in the twelve months prior to March 31<sup>st</sup> of the calendar year in which the plan is due will be used for development of the Action Plan.

### *3. Surveys and Participation Forms*

For the development of the Action Plan, residents, social service providers and community groups may complete a survey that assesses perceptions of community needs. Surveys will be available throughout the year, via links on the CDBG website and annually will be distributed electronically to residents that have requested information on the program and public agencies that serve residents in the CDBG service area.

Participation Forms that collect information on residents' perceptions of community needs may be used to collect data at community meetings. In addition, copies of the participation form will be available in the Travis County Community Centers to increase resident participation in the information gathering process. Surveys will be available in both English and Spanish. For other accommodations, contact the CDBG office (see Section II: D, above.)

For Action Plans submitted after January 1, 2019, any data collected in in the twelve months prior to March 31<sup>st</sup> of the calendar year in which the plan is due will be used for development of the Action Plan.

#### 4. *Consultations*

In the development of the Annual Action Plan, consultations with other public and private agencies will occur including, but not limited to, the following:

- Local public housing authorities;
- Other assisted housing providers;
- Social service providers including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDs and their families, and homeless persons;
- Community-based and regionally-based organizations that represent members of protected classes;
- Organizations that enforce fair housing laws and other public and private fair housing service agencies;
- The Continuum of Care that serves Travis County;
- 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 veterans, youth, and/or other persons with special needs;
- Publicly funded institutions and systems of care that may discharge persons into homelessness;

- Business and civic leaders.

Commencing with Annual Action Plans submitted after January 1, 2019 consultations will also include:

- Broadband Internet Service Providers and organizations engaged in narrowing the digital divide;
- Agencies whose primary responsibilities include management of flood prone areas, public land or water resources and emergency agencies.

A variety of mechanisms may be utilized to solicit input from these entities. These could include but are not limited to staff participation in coalitions or boards, telephone or personal interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

#### 5. *Public Comment*

Travis County HHS staff will draft the Annual Action Plan and present it to the Travis County Commissioners Court during a regularly scheduled voting session. After presentation to Travis County Commissioners Court, the Action Plan will be posted for written comment for thirty (30) days prior to approval by the Travis County Commissioners Court.

Comments on the Action Plan may be received in writing via email or regular mail to the Travis County Health and Human Services CDBG staff. The Plan will be posted on the Travis County website and copies will be available at the seven (7) Travis County Community Centers for public review.

Travis County will document and report all public comments from residents, public agencies, and other interested parties in preparing its final submissions. A concise summary of the community participation process, public comments received in writing or orally at public hearings and responses to those comments will be included in the final draft of the Action Plan.

#### 6. *Use of Alternate Projects*

Travis County will include a list of alternate projects for public review each year in the Annual Action Plan. If a funded project has cost savings, slows down or discovers a barrier to completing it, an alternate project from the relevant Annual Action Plan may be selected to continue the timely spending of grant funds.

Alternate Projects will contain the same level of information that funded projects contain in the Annual Action Plan to ensure appropriate review by the public. Approval by the Travis County Commissioners Court will be necessary to replace a funded project with an alternate or to fund an alternate with cost savings from a

completed project regardless of whether or not the increase or decrease exceeds 25%. These actions will not require a substantial amendment since the alternate projects will have gone through a public review process.

#### *7. Substantial Amendments*

When the location or beneficiaries of a project proposed under the Action Plan are changed, the scope of the project is increased or reduced by more than 25%, or a new project is funded that was not originally subject to public review, Travis County HHS shall amend its plan.

Use of an alternate project by the process defined in Section III.C.6 of this plan, will not require a Substantial Amendment. Approval by the Travis County Commissioners Court will be necessary to replace a funded project with an alternate or to fund an alternate with cost savings from a completed project regardless of whether or not the increase or decrease exceeds 25%.

If a project which is replaced by an alternate is deleted permanently, a substantial amendment will be completed in the summer during the next Annual Action Plan process to allow for public comment on the deletion of the project. Consideration of any project that was not identified as an alternate will go through the normal substantial amendment process.

The amendment process shall include:

- a. Public notice,
- b. A thirty (30) day public comment period, and
- c. One (1) public hearing at Travis County Commissioners Court during the public comment period.

As necessary, such notice may also include a public hearing in the precinct in which the project has been changed or added. Amendments to the Action Plan may take place at any time during the program year.

Travis County will document and report all public comments from citizens, public agencies, and other interested parties in preparing its final submissions. Public comments will be considered when feasible and beneficial, preceding final approval of Travis County Commissioners Court.

#### **D. Consolidated Annual Performance Evaluation Report**

At the end of each fiscal year, the County must also prepare a Consolidated Annual Performance Evaluation Report (CAPER) to provide information to HUD and the public to evaluate the County's performance and to determine whether the activities undertaken during the program year helped to meet the County's goals to address priority needs

identified in the Consolidated Plan and the Annual Action Plan. This annual performance report, prepared with public review and comment, must be submitted to HUD annually, no later than December 31.

*1. Public Hearing*

After the development of the CAPER for public comment, a public hearing will be held to receive oral comment on Travis County's performance.

During the fifteen (15) day review period, one (1) public hearing will be held at the Travis County Commissioners Court during the normally scheduled voting session. The public hearing will be held in the traditional public hearing format with oral testimony. In the event that national, state, and/or local health authorities recommend social distancing and limiting public gatherings for public health reasons, the public hearing may be held in a virtual format. Travis County virtual hearings will provide reasonable notification and access for citizens in accordance with the Citizen Participation Plan, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

*2. Public Comment*

Travis County will draft the CAPER and present it to the Travis County Commissioners Court during a regularly scheduled voting session. After presentation to Travis County Commissioners Court, the CAPER will be posted for written comment for fifteen (15) days prior to approval by the Travis County Commissioners Court.

Comments on the CAPER may be received in writing via email or regular mail to the Travis County Health and Human Services CDBG staff. The CAPER will be posted on the Travis County website and will be available at the seven (7) Travis County Community Centers for public review.

Travis County will document and report all public comments from residents, public agencies, and other interested parties in preparing its final submissions. A concise summary of the community participation process, public comments received in writing or orally at public hearings and responses to those comments will be included in the final draft of the CAPER.

Public comments will be considered when feasible and beneficial, preceding final approval by the Travis County Commissioners Court.

**E. Assessment of Fair Housing**

As an entitlement county receiving CDBG funds from HUD, Travis County must fulfill its fair housing responsibilities by developing an Assessment of Fair Housing (AFH) and by taking actions to overcome the effects identified in the AFH through the implementation

of a Fair Housing Plan (FHP). The County must ensure the AFH is informed by meaningful community participation.

*1. Public Hearings*

During the development of the AFH, at least one (1) public hearing will be held to solicit views and recommendations from residents and other interested parties on factors contributing to fair housing and other related issues.

*2. Public Comment*

The draft AFH and a summary document that describes the purpose and content of the AFH will be posted for thirty (30) days to receive comments from residents and other interested parties, prior to approval by the Travis County Commissioners Court.

The draft AFH and summary, including any proposed analysis, HUD-provided data and any other included data, will be posted on the Travis County website and will be available at Travis County Community Centers for public review. All comments and views received during the public comment period, whether received in writing or orally at public hearings, will be considered in preparation of the final AFH.

The final AFH will include:

- a. A concise summary of the community participation process, public comments, and efforts made to broaden participation in the development of the AFH;
- b. A summary of the comments, views, and recommendations, received in writing, or orally at public hearings, during the community participation process, and
- c. A summary of any comments, views, and recommendations not accepted by the County and the reasons for non-acceptance.

*3. Consultations*

In the development of the AFH, consultations with other public and private agencies will occur including, but not limited to, the following:

- Local public housing authorities;
- Other assisted housing providers;
- Social service providers including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons;
- Community-based and regionally-based organizations that represent members of protected classes ;

- Organizations that enforce fair housing laws and other public and private fair housing service agencies;
- Regional government agencies involved in region-wide planning and transportation responsibilities.

A variety of mechanisms may be utilized to solicit input from these entities. These could include but are not limited to telephone or personal interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

#### 4. *Revisions*

A HUD accepted AFH must be revised and submitted to HUD for review when either of the following situations occurs:

- a. A material change occurs. A material change is one that both;
  - i. impacts the circumstances in the jurisdiction which may include natural disasters, significant demographic changes, new significant contributing factors, and civil rights findings and
  - ii. causes alterations to the AFH’s analyses , contributing factors , priorities, and/or goals.
- b. The County receives a written notification from HUD specifying a material change.

The revision process shall include:

- a. Public notice,
- b. A public comment for a period of thirty (30) days before submission to HUD, and
- c. One (1) public hearing at Travis County Commissioners Court during the public comment period.

A Revision to the Assessment of Fair Housing will not be implemented until the conclusion of the 30-day public comment period. A summary of all comments or views received in writing, or orally, during the comment period, will be attached to the Revision upon submission to HUD.

#### **F. Disaster Response and Recovery Funds**

In the event of a declared county-wide, state-wide or national emergency (as proclaimed by the County Judge, Governor, or President of the United States), it may be necessary for Travis County to apply for new emergency grant funding, such as CDBG-Disaster Response or Recovery grants, or any other grants issued to jurisdictions in the event of a disaster that requires an urgent response to address the needs of the community.

## **V. HUD Waiver Process**

Upon determination of good cause, HUD has the authority to waive certain regulatory provisions of the CDBG program subject to statutory limits. The County reserves the right to submit waiver notifications to HUD when expedited disaster-related assistance is offered. Following completion of a waiver process as determined by HUD, the County may implement actions as prescribed by the approved waiver determinations authorized by HUD.

### **A. Implementing HUD Waivers on Amendments or Substantial Amendments**

In order to expedite the distribution of emergency funding during a disaster response situation, Travis County may determine it is necessary to waive certain amendment or substantial amendment provisions described in Sections IV.A.2, IV.B.6, and/or IV.C.7. Any such waiver is subject to the requirements of the respective emergency funding appropriation.

In the event of a disaster that requires a response to address local urgent needs, the County will:

1. Notify HUD at least five (5) days before implementing changes or amendments to the Consolidated Plan and/or Action Plan; and
2. Make reasonable efforts to provide the public opportunity to comment on changes and amendments to the Consolidated Plan, Action Plan, and/or Citizen Participation Plan.

## **VI. Effective Date**

Upon approval of Travis County Commissioners Court, The Citizen Participation plan, as amended, is effective as of June 24, 2020.



# APPENDIX A

*TRAVIS COUNTY COMMUNITY DEVELOPMENT  
(CDBG)*

***PLAN TO LIMIT DISPLACEMENT:***  
*Residential Anti-Displacement and  
Relocation Assistance Plan*

# Appendix A

## TRAVIS COUNTY

### COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

### Plan to Limit Displacement:

#### RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

As an urban entitlement county receiving Community Development Block Grant (CDBG) funds from the U.S. Department of Housing and Community Development (HUD), Travis County is required to develop and follow a Residential Anti-displacement and Relocation Assistance Plan. This document has been developed to comply with such requirement, in conformity with the provisions established in the following laws and regulations:

- The acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 as amended (“URA”), as required under Section 570.606(a), and as implemented in 49 CFR Part 24.
- The provisions of Section 104(d) of the Housing and Community Development Act of 1974, as amended (the Act) and the implementing regulations at 24 CFR Part 42.
- The requirements in 24 CFR Part 570.606.

This Plan includes six sections: 1) definitions, 2) a description of the steps Travis County will take to minimize displacement, 3) relocation assistance for displaced persons, 4) provisions for one for one replacement of low income dwellings, 5) monitoring of subrecipients, and 6) appeals.

#### I. Definitions

The definitions used in this section are excerpts from the applicable legislation. For more comprehensive definitions, please review the above the mentioned laws and regulations.

**Comparable Housing** - A dwelling that is functionally similar to the present unit, is decent, safe, and sanitary, and is currently available on the private market.

**Displacement** - The involuntary movement of a person or household from a project as a direct result of a CDBG assisted acquisition, demolition or rehabilitation activity.

**Decent, safe and sanitary dwelling** - Dwelling which meets local housing and occupancy codes and meets the codes established in the URA.

**Displaced person** - A lower-income person, who, in connection with an activity assisted under any CDBG program activity, permanently moves from real property or permanently moves personal property from real property as a direct result of the demolition or conversion of a lower-income dwelling.

**Low /Moderate Income Person (Household)** - A person or household whose gross income (adjusted by family size) is under 80% of median income.

**Low/Moderate Unit** - A dwelling unit with a market rent that does not exceed Fair Market Rent for published Section 8 Existing Housing (in effect at the time the project inception). A unit that rents above the Fair Market Rent that is occupied by a low and moderate income household is not a low/mod unit.

**Standard condition** - Units that at a minimum meet the Existing Housing Quality Standards of the Section 8 rental subsidy program.

**Substandard condition suitable for rehabilitation** - Units with code violations that can be brought to Section 8 Housing Quality Standards within reasonable monetary amounts.

**Vacant occupiable dwelling unit** - A dwelling unit that is in a standard condition; a vacant dwelling unit that is in substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (except by a squatter) at any time within the period beginning 3 months before the date of execution of the agreement by the County covering the rehabilitation or demolition.

## II. Efforts to Minimize Displacement

Travis County's policy is to make all reasonable efforts to insure activities undertaken through the use of Community Development Block Grant (CDBG) program funds will not cause displacement or relocation. Displacement of any nature will be reserved as a last resort action necessitated only when no other alternative is available.

Careful consideration will be given during the planning phase of CDBG projects with regard to avoiding displacement. Proposed projects will be carefully reviewed to determine whether involuntary displacement is likely to occur. All practical alternatives to any proposed project that may result in residential displacement will be considered including the alternatives for other sites, and the costs and benefits, both financial and non-financial of each alternative. Projects that may result in displacement will receive a lower priority recommendation for funding, unless it can be shown that alternatives are not available. CDBG projects that involve acquisition of property will be expected to be conducted through the purchase of vacant land or with structures that have been vacant for at least 90 days.

### **III. Relocation Assistance for Displaced Persons**

If after careful scrutiny 1) the benefits of a proposed project that may result in residential displacement are considered to outweigh the costs associated with displacement, and 2) no alternative sites are found, and 3) displacement is deemed necessary, then occupants will be assisted with relocation in compliance with federal regulations. In such cases, Travis County will replace all occupied and vacant occupiable low/moderate income dwellings units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with CDBG.

#### **A. Notification Processes**

Tenants or residents at risk of displacement through Travis County CDBG funded activities will be notified in a timely manner of the nature of the activity which may cause temporary or permanent displacement, the expected date of such displacement, and the rights of occupants.

For projects in which displacement may be permanent, notification will consist of written notice of eligibility for relocation assistance upon execution of the contract which authorizes acquisition and/or rehabilitation of the property. Such notice will be followed by a move-out notice made at least 90 days prior to the anticipated move-out date.

For projects in which displacement will be temporary, notification will consist of a general information notice as soon as feasible, cautioning the tenant not to move and explaining the proposed rehabilitation activity. This general notice will be followed by a Notice of Non-Displacement specifying the terms and conditions under which the tenant may re-occupy the property following project completion. In all instances of temporary displacement due to rehabilitation activity, the tenant/occupant will be notified as far in advance of the move-out date as is feasible. Notification will include information regarding replacement housing, the anticipated duration of construction/rehabilitation, and procedures for obtaining reimbursements.

#### **B. Relocation Assistance**

If relocation is determined to be necessary, Travis County's CDBG Office will be responsible in assisting any low/moderate income person displaced by the demolition of any housing or the conversion of lower income housing to another use by: 1) determining the specifics for providing relocation assistance and payments for both temporary and permanent relocation of tenants or owners 2) determining the appropriate means for tracking the replacement of low/moderate income dwelling units; and 3) ensuring that it is provided within the required period.

**1) Temporary Displacement**

Tenants/residents involuntarily and temporarily displaced through rehabilitation activity will be reimbursed for all reasonable out-of-pocket expenses as required by the Act. These expenses will include moving expenses, rent and utility costs which exceed the tenants' original rents, and other justifiable and documented incidental expenses.

**2) Permanent Displacement**

Persons who are involuntarily and permanently displaced through acquisition or redevelopment of properties are to receive a Notice of Eligibility for Relocation Assistance at the time negotiations are initiated to provide assistance as required by the Act. Following notification and referral to suitable replacement housing, a ninety day written notice must be given prior to the required move-out date.

**3) Economic Displacement**

Economic displacement occurs if temporarily displaced tenants are required to pay "excessive" rents upon returning to their original housing units after rehabilitation, and therefore move permanently from the housing project. In order to prevent such economic displacement, returning tenants shall not be required to pay rents in excess of 30% of their income following rehabilitation activity.

**4) Conditions of Replacement Housing**

All persons displaced by CDBG activity either permanently or temporarily shall be relocated into housing that is:

- Decent, safe and sanitary;
- Adequate in size to accommodate the occupants;
- Functionally equivalent;
- In an area not subject to adverse environmental conditions; and
- Affordable to the tenant/occupant (i.e., rent levels no higher than 30% of income).

**5) Minimization of Impact**

Consistent with the goals and objectives of activities assisted under the Act, Travis County will take the following steps to minimize the impact to direct and indirect displacement of persons:

- Provide counseling and referral services to assist those displaced find alternative housing in the community.
- Work with area landlords and real estate brokers to locate vacancies for households facing displacement.
- Evaluate housing codes and rehabilitation standards in reinvestment areas to

- prevent undue financial burden on established owners and tenants.
- Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
  - Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
  - Adopt policies to identify and mitigate displacement resulting from intensive public investment in neighborhoods.
  - Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.

#### **6) Areas of Minority Concentration**

Travis County's current Analysis of Impediments to Fair Housing Choice, Assessment of Fair Housing or Consolidated Plan identify specific "areas of minority concentration" within the jurisdiction. Minority persons temporarily or permanently displaced by housing activities in these areas shall be offered options for comparable replacement housing located both outside and inside these identified areas.

### **IV. Provisions for One-for-One Replacement of Lower-Income Dwelling Units**

Travis County will replace all occupied and vacant low/moderate-income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, and as described in 24 CFR Part 570.606(b). Low/moderate income replacement units may include public housing or existing housing receiving Section 8 certificate or voucher assistance.

All replacement housing will be provided within three years after the commencement of the demolition or rehabilitation relating to conversion, and will meet the following requirements:

- The units will be located within the county.
- The units will meet all applicable County Housing, building, and zoning ordinances.
- The units will be designed (in terms of fiscal structure and building structure) to remain low/moderate income dwelling units for at least 10 years from the date of initial occupancy.

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

- 1) Description of the proposed assisted project.
- 2) 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/moderate income dwelling units as a direct result of the assisted activity.

- 3) A time schedule for the commencement and completion of the demolition or conversion.
- 4) To the extent known, the general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement units.
- 5) The source of funding and a time schedule for the provision of the replacement dwelling units.
- 6) The basis for concluding that the replacement housing will remain in a low/moderate income dwelling unit for at least 10 years from the date of initial occupancy.

To the extent that the specific location of the replacement housing and other data in items 1 through 6 are not available at the time of the general submission, Travis County will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available.

## **V. Monitoring of Subrecipients / Record Keeping Requirements**

Subrecipients of Travis County's CDBG funds must obtain prior written approval from the Executive Manager of Travis County Health and Human Services and Veterans Service before initiating any displacement or relocation activity. In addition, non-profit organizations or subrecipients which involuntarily displace persons (temporarily or permanently) while developing affordable housing with assistance from Travis County CDBG funds will be required to keep complete records of all relocation activity. These records will include but will not be limited

- a list of all affected tenants, with race/ethnicity/gender information and all relevant move-in and move-out dates;
- copies of official notifications to tenants/occupants;
- copies of documentation for reasonable moving expenses paid to persons temporarily or permanently displaced;
- copies of all contracts pertaining to the project, specifying the dates of initiation of negotiations and initiation and duration of rehabilitation/construction work;
- for tenants who elect to relocate permanently but are ruled ineligible for relocation assistance, documentation indicating the reason for the move and demonstrating the subrecipient's process for explaining ineligibility and available housing alternatives;
- copies of all appeals or complaints, and their responses; and
- copies of any other documentation required by applicable law or reasonably requested by County.

## **VI. Appeals**

A person who disagrees with the County's determination concerning whether the person qualifies as a "displaced person," or with the amount of relocation assistance for which the person is eligible, may file a written appeal of that determination with the County through Travis County Health, Human Services and Veterans Services. A person who is dissatisfied with the County's determination on his or her appeal may submit a written request for review of that determination to the HUD field office. If the full relief is not granted, the County shall advise the person of his or her right to seek judicial review.