



BAKERSFIELD

THE SOUND OF *Something Better*

City of Bakersfield Citizen Participation Plan

May 2020

Development Services Department
Economic & Community Development Division
1715 Chester Avenue
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www.bakersfieldcity.us/communitydevelopment
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City of Bakersfield Citizen Participation Plan

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Introduction

The U.S. Department of Housing and Urban Development (HUD) requires entitlement communities (jurisdictions with populations above 50,000) under the federal Housing and Community Development Act of 1974, as amended, to develop a citizen participation plan. This Citizen Participation Plan describes how the City of Bakersfield (hereafter “the City”) will involve residents in the planning, implementation and assessment of how Community Development Block Grant (CDBG), HOME Investment Partnership (HOME) and Emergency Shelter Grant (ESG), and Housing for Persons with HIV/AIDS (HOPWA) funds will be used. The primary goal of this Citizen Participation Plan is to provide all citizens of the community with adequate opportunity to participate in an advisory role in the planning, implementation, and assessment of Bakersfield’s HUD programs. The Plan sets forth policies and procedures for citizen participation, which are designed to maximize the opportunity for citizen participation in the community development process. Special emphasis has been placed on encouraging participation by persons of low and moderate incomes¹, residents of predominantly low-income areas², and residents of areas where community development funds are utilized.

The ConPlan is a five-year plan required by HUD that outlines how the City intends to meet identified local housing and community development needs over the five-year period. It is a plan and a process for defining and carrying out a unified vision for housing, homelessness, special needs populations and community economic development needs. The main components of the ConPlan include a housing and community development needs assessment; a housing market analysis; an Analysis of Impediments to Fair Housing Choice; a strategy that reflects general goals (priorities) and performance outcome measurements for allocating HUD funds to address the housing and community development needs; a list of specific objectives for each priority (including proposed accomplishments); and an annual action plan (one-year funding) describing how federal and local resources will be used to address the needs and objectives identified in the ConPlan.

The City’s ConPlan identifies unmet priorities in the community that generally deal with a suitable living environment, affordable housing, economic opportunities and homelessness. All future requests for HUD funding through the City of Bakersfield beginning in 2020 must be identified by the ConPlan as a

¹ Low and moderate income means a family or household with an annual income less than the Section 8 Low Income Limit, generally 80 percent of the area median income, as established by HUD.

² A predominately low income area is an area where 51% or more of the residents are low and moderate income, as described above.

need and be part of the strategic objectives for each goal/priority in order to be considered for funding from the City. This includes requests from outside agencies that are directly applying to the City for funding of their activities.

The ConPlan planning and approval process can be broken down into the following stages:

- Needs Assessment
- Plan Development
- Approval
- Amendments
- Performance Review

The City of Bakersfield will make reasonable efforts to provide for citizen participation during the community development process and throughout the planning, implementation and assessment of all HUD programs undertaken by the City. City staff will make every effort to involve citizens in all phases of the development, implementation and assessment of community development programs including, but not limited to, the following phases:

- a. Identification and assessment of housing and community development needs; determination of CDBG, HOME, HOPWA, and ESG project(s) (ConPlan and Annual Action Plan);
- b. Changes and/or amendments to approved CDBG, HOME, HOPWA, and/or ESG projects; and
- c. Assessment of CDBG, HOME, HOPWA, and ESG program performance (CAPER).

All phases of the community development process will be conducted by City staff in an open manner. Citizens of Bakersfield are encouraged to participate at all levels and will be given access to program information during each phase of any HUD program as outlined herein.

This citizen participation process generally includes a series of well-publicized annual community/neighborhood meetings and public hearings to review the ConPlan, the Annual Action Plan and the Consolidated Annual Performance and Evaluation Report (CAPER). All meetings and hearings are publicized in accordance with applicable HUD, state and local regulations. Public notices for environmental procedures and project-related policies are also part of the citizen participation process.

In addition to hosting community meetings and public hearings, specific to ConPlan development, the City will host a series of stakeholder focus groups and conduct a web-based community needs assessment survey.

Background

In 2006, HUD and its Office of Community Planning and Development (CPD) division encouraged and, in some cases, required entitlement communities to implement strategies that further promote residents to participate in community building through the five-year ConPlan planning process. The CPD's underlying principles include the following:

- Community building begins with job creation, employment and the creation of safe, decent and affordable housing.
- Planning and execution of community development initiatives must be bottom up and community-driven.
- Complex problems require coordinated, comprehensive and sustainable solutions.
- Government must be streamlined to be more efficient and effective.
- Citizen participation in federal, state and local government can be increased through communication and better access to information.

This Citizen Participation Plan is in compliance with these federal principles.

Amended:

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City of Bakersfield has integrated alternative practices for citizen participation.

Overview

GOAL: To generate significant public participation in the consolidated planning process, including any amendments to the ConPlan, the Annual Action Plan and the CAPER. Input will be sought particularly from low- and moderate-income persons and groups residing within various areas of the City where program funds will be used.

Objective A: *All persons, including those of low- and moderate- income, and persons with disabilities, shall have the opportunity to take part in the consolidated planning process and any amendments to the ConPlan, the Annual Action Plan and the CAPER.*

Policies:

- 1) The consolidated planning process and any amendments to the ConPlan, Annual Action Plan, and CAPER are designed to promote participation by low- and moderate-income citizens, as well as residents who will benefit from entitlement funds. Bakersfield staff may take additional steps to further promote participation by such groups, or to target program information to these persons should staff feel that such persons may otherwise be excluded or should additional action be deemed necessary. Activities to promote additional participation may include: posting of notices in neighborhoods and in places frequented by low- and moderate- income persons, and holding community meetings in low- and moderate- income neighborhoods or areas of existing or proposed CDBG, HOME, HOPWA. or ESG project activities.
- 2) The locations of all community meetings as described in this Citizen Participation Plan shall be made accessible to persons with disabilities. The City of Bakersfield shall provide a sign language interpreter whenever City staff is notified five days in advance that one or more deaf persons will be in attendance. The City of Bakersfield shall provide a qualified reader whenever City staff is notified five days in advance that one or more visually impaired persons will be in attendance. Additionally, the City of Bakersfield shall provide reasonable accommodations whenever City staff is notified five days in advance that one or more persons with mobility or developmental disabilities will be in attendance.
- 3) Two public input meetings will be held typically in the summer or fall prior to those years when a ConPlan is being prepared. At those meetings, members of the public will be asked to identify community needs and priorities prior to the drafting of the ConPlan.

- 4) Upon completion of the draft ConPlan, the plan will be available for public review and comment for 30 days. Copies of said plan shall be made available to the public at the City offices, at the Bakersfield branches of the Kern County Library and on the City's Web site (see Addendum). The ConPlan will also be made available in a format accessible to persons with disabilities upon request.
- 5) Upon completion of the draft Annual Action Plan, the plan shall be made available for public review and comment for 30 days. Copies of said plan shall be made available to the public at the City offices, at the Bakersfield branches of the Kern County Library and on the City's Web site (see Addendum). The draft Annual Action plan will also be made available in a format accessible to persons with disabilities upon request.
- 6) Upon any substantial changes requiring an amendment to the ConPlan or Annual Action Plan, the amendment shall be made available for public review and comment for 30 days. Copies of said amendment shall be made available to the public at the City offices, at the Bakersfield branches of the Kern County Library and on the City's Web site (see Addendum). Any amendments to the ConPlan or Annual Action Plan will also be made available in a format accessible to persons with disabilities upon request.
- 7) Upon completion of the draft CAPER, the report will be available for public review and comment for 15 days. Copies of said report shall be made available to the public at the City offices, at the Bakersfield branches of the Kern County Library and on the City's Web site (see Addendum).
- 8) Two separate public meetings at different times in each program year shall be conducted by the City to obtain community views and to respond to proposals and questions. The first public meeting will be held in the spring. The primary purpose of this public meeting shall be to assess community needs and problems in an effort to determine the most critical needs to be addressed by the ConPlan and/or the Annual Action Plan; and also, to present for public comment and review the program activities which have been selected by the City of Bakersfield to resolve the identified needs.

The second public meeting will be held in the late summer/early fall prior to the submission of the Consolidated Annual Performance and Evaluation Report (CAPER). The purpose of this public meeting is to assess how funds were spent during the previous program year and assess the performance of the City of Bakersfield in resolving identified community

development and housing needs, and in achieving its community development goals and objectives.

- 9) Public meetings shall be conducted at times and locations which will be convenient and accessible to all citizens, especially persons of low- and moderate- income, residents who may benefit from entitlement funds, and areas where CDBG, HOME, HOPWA or ESG projects are proposed or on-going.

The City shall provide interpreters for non-English-speaking persons and/or the hearing impaired when such requests are made at least five working days prior to the meeting. The City will make efforts to provide all citizen engagement materials in Spanish when such requests are made at least five working days prior to the meeting..

Amendment:

- 10) In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or close contact gatherings may be considered a public health risk, the City of Bakersfield will implement the following alternatives:
 - a. Public review period for the Consolidated Plan and/or Annual Action Plan and any amendment thereto will be reduced to 5 days or to a period of time consistent with alternative HUD requirements and/or waivers.
 - b. While taking expedited action to address community needs, the 5-day public review still provides reasonable notice and opportunity to comment.
 - c. Draft documents for public comment and review will only be made available on the City's website at <http://www.bakersfieldcity.us>. Copies of the draft documents will be e-mailed or mailed upon request.
 - d. Public community meetings will not be held when national/local health authorities recommend social distancing and limiting public gatherings for public health reasons.
 - e. The City will provide timely responses to all citizen questions and issues, and public access to all questions and responses. A record of all comments received and responses will be submitted to HUD with the amendment or draft document.

Objective B: *Adequate program information shall be provided to all interested persons and groups upon request.*

Policies:

- 1) Prior to adoption of the ConPlan, the City shall make available to all interested persons and groups the amount of assistance the City expects to receive in CDBG, HOME, HOPWA and ESG funding. In addition, the City shall identify the range of activities that must be undertaken with these funds, plans to minimize the displacement of persons and plans to assist displaced persons.
- 2) The City shall provide all interested persons and groups with reasonable and timely access to all information relating to the City's proposed ConPlan and the City's use of assistance under the relevant programs during the previous five years.
- 3) Materials to be made available shall include, but are not necessarily limited to: the Citizen Participation Plan; records of public hearings; mailings and promotional materials; prior CDBG program applications; letters of approval; grant agreements; the environmental review record; financial and procurement records; project design and construction specifications; labor standards materials; performance and evaluation reports; other reports required by the HUD; proposed and approved CDBG program application(s) for the current year or project; written comments or complaints received concerning the community development program, and written responses from the City of Bakersfield; and, copies of the applicable Federal and State rules, regulations, policies, requirements and procedures governing the CDBG, HOME, HOPWA or ESG program. Upon request, the City shall provide copies of this information in oral, Braille, electronic, or large print (for the visually impaired) for disabled persons, or will hand deliver copies to persons that are homebound.
- 4) In no case shall the City of Bakersfield disclose any information concerning the financial status of any program participant(s) which may be required to document program eligibility or benefit. Furthermore, the City of Bakersfield shall not disclose any information which may, in the opinion of the Department Director, be deemed of a confidential nature.

Objective C: *The City shall provide adequate advance public notice of all associated meetings and hearings.*

Policies:

- 1) The City shall provide adequate advance notice of no less than two weeks for all public hearings and meetings to all interested persons and groups. Sufficient information shall be published about the subject of the

hearing or meeting, including but not limited to, the time, date, place and topics and procedures to be discussed to permit public input. Such notice shall take the form of a public notice in the *Bakersfield Californian*; online outreach via the City's Web site and/or social media; distribution of information to community/public facilities; and/or individual letters, notices or flyers mailed to interested persons and groups.

- 2) Public hearings will be held, as outlined herein, to allow citizens to voice opinions and offer proposals concerning the development and performance of CDBG, HOME, HOPWA and ESG programs. City staff will respond to questions and proposals from citizens at each public hearing. Any questions that citizens may have concerning a program will be answered and their comments, suggestions, and/or proposals will be received. Citizens may also express comments and views concerning the community development process or any specific project to the governing body at any regularly scheduled meeting.

Amendment:

- 3) In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or close contact gatherings may be considered a public health risk, the City of Bakersfield will implement the following alternatives:
 - a. Notice if public hearings will be provided no less than five days prior to all interested persons and groups.
 - b. When possible, public hearings may be held as virtual meetings using online platforms for public viewing with the option for real-time questions to be presented or questions will be encouraged to be submitted prior to the public hearing.
 - c. For virtual public hearings the City will provide reasonable notification, no less than 5 days, and access for citizens upon request.
 - d. The City will provide timely responses to all citizen questions and issues, and public access to all questions and responses. A record of all comments received and responses will be submitted to HUD with the amendment or draft document.

Objective D: *The City shall furnish technical assistance to all interested persons and groups requesting such assistance.*

Policies:

1) The City shall provide technical assistance upon request, particularly to groups or individuals representing persons with low and moderate income. The City shall determine the necessary level and degree of assistance. Such technical assistance might include the following:

- Assisting low and moderate persons, and residents who would benefit from entitlement funds to develop statements of view, identify their needs, and to develop activities and proposals for projects, which when implemented, will resolve those needs.
- Explaining the process for submitting proposals.
- Interpreting program rules, regulations, and procedures and/or federal and local requirements.
- Providing comments and advice on the telephone or in meetings.
- Reviewing and commenting on draft proposals.

Objective E: *All comments, objections, and complaints submitted by interested persons or groups shall be adequately considered and addressed.*

Policies:

- 1) The City shall consider any comments or complaints from interested persons or groups received in writing or orally at public hearings or meetings in preparing the ConPlan, any amendments to the plan, the Annual Action Plan and/or the CAPER.
- 2) A summary of public comments or complaints and a summary of any comments or complaints not accepted and the reasons thereto shall be attached to the respective final ConPlan, any amendments to the plan, the Annual Action Plan and/or the CAPER.
- 3) The City shall provide a substantive written response to every comment or complaint received within 15 working days when possible.

Public Participation

1. Citizen Participation Plan and Amendments

The Citizen Participation Plan is designed to facilitate and encourage residents to participate in the ConPlan process. In particular, the Citizen Participation Plan seeks to encourage the involvement of low- and moderate-income persons.

The City will use the following process to adopt and make any subsequent changes to its Citizen Participation Plan:

- The City will place public notices in the *Bakersfield Californian* newspaper, at the Development Services office and the Bakersfield branches of the Kern County Library and on the City's Web site (see Addendum) in advance of a 30-day public review and comment period.
- Residents have 30 days to review the Citizen Participation Plan from the date of the notice.
- During the 30-day public review and comment period, the document will be available for review at the City's Development Services Department office. Copies of the document will be available to the public.
- Residents may file comments in writing at the City offices during the 30-day period from the date of the notice.
- The City Council will adopt the Citizen Participation Plan as part of the Consolidated Plan.

Amendment:

- During a declared emergency, the public review and comment period will be reduced to 5 days and public review drafts will only be available in on City website or emailed/mailed upon request.

Any change in the public participation process as outlined in this document will require an amendment to the Citizen Participation Plan.

2. Consolidated Plan and the Annual Action Plan

The steps outlined below provide opportunities for public involvement in the ConPlan and the Annual Action Plan:

- The City will consult with local public agencies that assist low- and moderate-income persons and areas, including City staff, state and federal agencies, neighboring local governments and regional agencies.
- The City will consult with private agencies, including local nonprofit service providers and advocates such as the local public housing agency, health agencies, homeless service providers, nonprofit housing developers and social service agencies (including those focusing on services to children, the elderly, persons with disabilities, persons with HIV/AIDS, persons with substance abuse problems, etc.).
- The City will place public notices in the *Bakersfield Californian* newspaper, at City offices and the Bakersfield branches of the Kern County Public Library, on the City's Web site, and through social media channels (see Addendum) 15 days in advance of a meeting. The notice will include the amount of funds available, the range of activities that could be undertaken and the amount that would benefit low- to moderate-income persons.
- A public hearing will be held before the City Council to solicit input on needs and priorities for the ConPlan and the Annual Action Plan.
- Residents have 30 days to review the draft ConPlan and/or the draft Annual Action Plan from the date of the notice.
- Residents may file comments at the City offices during a 30-day period from the date of the notice.
- A public hearing will be held before the City Council to receive comments and approve the ConPlan and the Annual Action Plan.
- The City Council will adopt the ConPlan and/or Annual Action Plan.
- In preparing the final ConPlan and/or Annual Action Plan, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or

submitted in writing during the review and comment period. The final documents will have a section that includes all comments, plus explanations as to why any comments were not accepted.

3. Substantial Amendments to the ConPlan and the Annual Action Plan

Amendments to the ConPlan or the Annual Action Plan will be necessary whenever one of the following is proposed:

- To make a substantial change in the allocation priorities or a substantial change in the method by which funds are distributed;
 - For the purpose of the Consolidated Plan, a “substantial change” involves a cumulative change in the program budget of 25 percent or more of the City’s total federal entitlement for the current program year;
 - If an amendment does not qualify as a substantial change (cumulative change of under 25 percent of the City’s total federal entitlement for the current program year), it will be considered administrative in nature and documentation of the administrative amendment will be made to the current Consolidated Plan or Annual Action Plan, and notification of the amendment will be provided to HUD;
- To use CDBG, HOME, HOPWA or ESG funds (including program income) to carry out an activity not previously described in the Annual Action Plan or ConPlan; or
- To allow a substantial change in the purpose, scope, location or beneficiaries of a specific activity.

The following procedures apply to substantial amendments:

- The City will place public notices in the *Bakersfield Californian* newspaper, at the City offices and the Bakersfield branches of the Kern County Library and on the City’s Web site (see Addendum) in advance of a 30-day public review and comment period.
- Residents have 30 days to review the proposed amendment from the date of the notice.
- During the 30-day public review and comment period, the document will be available for review at the City’s Development Services

Department and City Clerk's office. Copies of the document will be available to the public.

- Residents may file comments at the City offices during the 30-day period from the date of the notice.
- The City Council will adopt the amendment.
- In preparing a final amendment, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final amendment will have a section that includes all comments, plus explanations as to why any comments were not accepted.
- Substantial amendments are submitted to HUD as it occurs or at the end of the program year.

Amendment:

- During a declared emergency, the City will implement the alternative process for public notice, review and public hearing approval, as outlined herein.

4. Consolidated Annual Performance Evaluation Report (CAPER)

Every year, the City must submit to HUD a Consolidated Annual Performance Evaluation Report (CAPER). In general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities that benefited low- and moderate-income people. The following steps outline the opportunities for public involvement in the CAPER:

- The City will place public notices in the *Bakersfield Californian* newspaper, at the City offices and the Bakersfield branches of the Kern County Public Library, on the City's Web site, and may post through social media (see Addendum) in advance of a 15-day public review and comment period.
- Residents have 15 days to review the CAPER from the date of the notice.
- During the 15-day public review and comment period, the document will be available for review at the City's Development Services

Department office. Copies of the document will be available to the public.

- Residents may file comments at the City offices during the 15-day period from the date of the notice.
- In preparing the CAPER, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing during the review and comment period. The final report will have a section that includes all comments, plus explanations as to why any comments were not accepted.

Funding of Public Services

The City will issue a Notice of Funding Availability (NOFA) to the community for the Annual Action Plan, beginning with the 2020–2021 program year. The notice will identify the amount of CDBG, HOME, HOPWA and ESG funds available to public service agencies and a list of eligible activities. The agencies may apply to the City at the following address:

City of Bakersfield
Development Services Department
1715 Chester Avenue
Bakersfield, CA 93301

All applications must include the following information in order to be eligible to receive CDBG, HOME, HOPWA and/or ESG funds:

- Name of the organization, the contact person(s) and a brief history of the organization
- Name of the project and a detailed description of project
- Documentation identifying the need for such a project
- Financial summary, including the amount of CDBG, HOME, HOPWA and/or ESG funds requested and other resources to leverage CDBG, HOME, HOPWA and/or ESG funds, as well as the potential uses of the funds
- Objectives of the project and the intended beneficiaries
- If the organization is requesting CDBG, HOME, HOPWA and/or ESG funds from other jurisdictions for the same project, information included on the amount requested and the potential benefits for each jurisdiction

City staff will review the applications to determine the eligibility of the projects. City staff will evaluate the projects based on the benefits to low- and moderate-income residents and areas and on the projects' feasibility. The selected projects will be recommended to the City Council for approval.

Amendment:

During a declared emergency, the City may implement a limited application process or identify potential qualified applicants through an informal process to carry out specific activities that address community needs related to the emergency.

Plans to Minimize Displacement of Persons and Assist any Persons Displaced

The City of Bakersfield in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, the 1988 Common Rule, and the 1989 Barney Frank Act, will provide relocation assistance, as described in 24 CFR 570.606(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the City of Bakersfield will include, but not be limited to, the following steps to minimize the displacement of persons from their homes:

- A. Avoid, as much as possible, Action Plan funded projects which permanently displace persons from their homes.
- B. Fully advise any residents who may be displaced of their rights and options for relocation benefits as required by federal regulations.
- C. Assist displaced residents in filling out any required forms for assistance or to appeal City decisions regarding displacement or the level of relocation benefits.

A copy of the City's Anti-Displacement and Relocation Plan is also available to interested residents upon request.

Citizen Participation Summary

DOCUMENT	PUBLIC PARTICIPATION	REQUIRED TIME FOR PUBLIC REVIEW	REQUIRED APPROVAL	DEADLINE
Citizen Participation Plan	15-Day Notice*	30-Day Public Review*	City Council	N/A
ConPlan and/or Annual Action Plan	Public Hearing 15-Day Notice	30-Day Public Review	City Council	Submit to HUD 45-days prior to start of new program year
Substantial Amendments	Public Hearing 15-Day Notice*	30-Day Public Review*	City Council	Submit to HUD when complete
Administrative Amendments	No Public Hearing	None	City Manager	Submit to HUD when complete
CAPER	Not Required	15-Day Public Review	City	Submit to HUD within 90-days of end of program year
*Alternative public notice and public review during declared emergencies.				

Addendum

The City of Bakersfield Development Services Department located at 1715 Chester Avenue, Bakersfield, California.

The City Clerks Office located at 1600 Truxtun Avenue, Bakersfield, California.

The Bakersfield branches of the Kern County Library are as follows:

- Baker, 1400 Baker Street; (661) 861-2390
- Beale Memorial Library, 701 Truxtun Avenue; (661) 868-0701
- Holloway-Gonzales, 506 E. Brundage Lane; (661) 861-2083
- Southwest, 8301 Ming Avenue; (661) 664-7716
- Northeast, 3725 Columbus; (661)871-9017
- Wilson, 1901 Wilson Road; (661)834-4044

The California State University Bakersfield Library at 9001 Stockdale Highway, Bakersfield, California

The City's Web site address is <http://www.bakersfieldcity.us/>.