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CITY OF  
**HAYWARD**  
HEART OF THE BAY

**CITIZEN  
PARTICIPATION  
PLAN**

(UPDATED 4/2009)

**FOR CDBG, HOME, AND  
OTHER HUD-ADMINISTERED  
FEDERAL FUNDING**

**CITY OF HAYWARD  
NEIGHBORHOOD SERVICES DIVISION  
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**CITY OF HAYWARD  
CITIZEN PARTICIPATION PLAN**

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# CITY OF HAYWARD CITIZEN PARTICIPATION PLAN

## **I. Citizen Participation Plan Overview**

Each year, the City of Hayward receives funding for housing and community development activities from the federal government through the US department of Housing and Urban Development (HUD) Community Development Block Grant (CDBG) and HOME Investment Partnership programs. Occasionally, the City may qualify for allocations of other types of HUD-administered funding. Federal regulations require the City of Hayward to adhere to a Citizen Participation Plan (CPP) that provides community members with an opportunity to participate in an advisory capacity in planning and assessing CDBG, HOME, and other HUD-funded programs.

The City of Hayward's CPP seeks to involve all City residents including low and moderate-income persons, persons living in blighted areas, members of minority groups, members of non-English speaking groups, residents of areas where a significant amount of federally-funded activity is proposed or ongoing, the elderly, the disabled, the business community, and civic groups interested in the CDBG, HOME, and other HUD-funded programs.

The Citizen Participation Plan describes HUD-funded programs in Hayward and citizen participation opportunities related to the CDBG, HOME, and other HUD-funded programs, as well as Annual Performance Reports, other Citizen Participation Issues, and managing the Citizen Participation Plan. For more information please call the City of Hayward's Neighborhood Services Division at (510) 583-4250.

### **Citizen Participation Goals**

The goals of the City of Hayward's citizen participation process include:

- Providing residents with adequate and timely information about the range of activities that may be undertaken through its Block Grant program, the kinds of activities previously funded in the community, the level of funding available to carry out these activities, and an estimate of the amount of funds that will benefit low- and moderate- income persons;
- Providing an appropriate means to ensure the involvement of low and moderate-income residents most likely to be affected by the Block Grant Program and to provide reasonable efforts to ensure continuity of involvement of residents or resident organizations throughout all stages of the program;
- Providing residents with an adequate opportunity to articulate needs, express preferences about proposed activities, assist in the selection of priorities, and the development of the plans, applications and reports; and
- Providing residents with the opportunity to assess and submit comments on all aspects of the community development performance.

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**II. Federal Programs in Hayward**

The following program descriptions are provided to aid residents in understanding the types of HUD-funded housing and community development programs routinely conducted in the City of Hayward. Occasionally, other sources of HUD funding are available, and the following description is not intended to be an exhaustive list of the various potential sources of funding available to the City from HUD. Additional guidance regarding sources not specifically addressed in this section of the CPP are referenced in Section IV, Administration of the Citizen Participation Plan.

**A. Community Development Block Grant**

This program provides the City with a flexible source of funding for programs and projects ranging from infrastructure improvements to social service activities. Federal regulations stipulate that CDBG-funded activities must address at least one of the following federally-defined national objectives:

- Directly benefit lower-income persons,
- Be conducted in an area where more than 51 percent of the population is lower income, or
- Eliminate slum and blighting conditions.

CDBG programs and projects may address urban blight by making physical improvements in predominantly low-income neighborhoods, or by providing direct services to either low-income individuals or families or persons living in low-income neighborhoods. Definitions of low and moderate-income are provided later in this Plan.

The City of Hayward has identified the following areas of community need that may be addressed by CDBG-funded activities:

- **Ownership Housing** - Programs and projects to increase the percentage of homeowners including new housing development that is affordable to lower-income households. Eligible activities include the purchase and improvement of land to build homeowner units, rentals, and condominiums; the development of housing for the disabled and elderly; and the development of emergency housing.
- **Housing Rehabilitation** - The conservation and improvement of dwellings occupied by lower-income households. These activities include rehabilitation and minor home repairs.
- **Neighborhood Facilities and Improvements** - Acquisition, construction, reconstruction, rehabilitation or installation of eligible public facilities and improvements. Projects may include senior centers, centers for the disabled, curb ramps, removal of architectural barriers, parks, community gardens, playgrounds, and recreational facilities. The City Council has established a priority for facilities providing childcare or other youth services.

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- **Public Services** - Fair housing, housing counseling services, the investigation of housing discrimination complaints, housing placement assistance to lower-income households and other housing-related social services. HUD regulations limit the allocation of funds to public service activities to no more than 15 percent of each annual CDBG award.
- **Economic Development** - Acquisition of real property, construction or rehabilitation of commercial or industrial facilities, and assistance to nonprofit organizations and small businesses.
- **Commercial Rehabilitation** - Activities include facade improvements, emergency health and safety repairs, and handicap accessibility repairs when caused by facade improvements for commercial properties in the downtown redevelopment area.

The City of Hayward uses its annual CDBG allocation each year to fund a variety of housing and community development activities. The CDBG program operates on an annual basis; typically programs and projects are implemented during a 12-month period, i.e., the "program year." The program year coincides with the City of Hayward's fiscal year that begins July 1 and ends June 30 of the following calendar year. HUD planning and application regulations require that the City of Hayward begin preparing for a new program year in the fall of the preceding year. The City begins preparations in November for the allocation of funds that will be used during the program year that begins the following July.

#### **The Citizen Advisory Commission**

The City of Hayward's Citizen Advisory Commission (CAC) is the primary conduit for resident participation in all phases of the CDBG program and other programs funded by HUD. The CAC advises and makes recommendations to the City Council on the CDBG program including the identification of housing and community development needs, setting priorities, making recommendations regarding the annual allocation of CDBG funds, and amending Annual Action Plans. CAC members must be Hayward residents and are appointed by the City Council for four-year terms. The CAC includes low and moderate-income residents, representatives from non-English speaking groups, minority groups, and target neighborhoods. For more information about CAC membership, please contact the Hayward City Clerk's office at (510) 583-4400.

The CAC holds regular meetings in the evening that are noticed and open to the public. At these meetings, the CAC discusses CDBG-funded housing and community development activities and makes recommendations to the City Council, as appropriate. CAC meetings also provide an opportunity for community residents to participate in the assessment of current activities. The City of Hayward's Neighborhood Services Division staff supports the CAC and maintains records (agenda minutes, resolutions, etc.) for public review. CAC Agendas and Summary Notes are posted on the City's website for public review and comment.

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**Allocation Development Schedule**

The activities receiving CDBG funds must meet federal funding eligibility requirements and support locally defined housing and, community development goals and objectives. While the CDBG program is a federal program, the City is responsible for the allocation of these funds to specific programs and projects. The allocation process is designed to include resident participation at meetings, work sessions and public hearings.

To receive CDBG funding, organizations must attend an applicant workshop and complete and submit an application packet. City staff and the CAC review these materials and interview applicants. Both the CAC and City staff make advisory funding recommendations to the City Council. The City Council makes the final funding allocations. The following is the allocation development schedule for a typical program year; however this schedule may be adapted as necessary to meet urgent community needs.

<b><u>Month</u></b>	<b><u>Activity</u></b>
<b>July</b>	CAC establishes the allocation development schedule
<b>September</b>	CAC new member training: Brown Act & Conflict of Interest Law
<b>November</b>	30 Day Public Notice of federal CDBG Funding Availability
<b>December</b>	CDBG Funding Forum and Application Technical Assistance Workshop
<b>January</b>	CAC training in Proposal Evaluation CDBG Applications Due Appointment of CAC's Application Review Committee (ARC) ARC interviews CDBG applicants
<b>February</b>	CAC develops its "draft" Funding Recommendations City staff develops its "draft" Funding Recommendations 30-day Public Comment period
<b>March</b>	CAC and City staff finalize their respective Funding Recommendations 30-day Public Hearing Notice of City Council's intent to make CDBG allocations, which constitute the substantive portion of the subsequent year's Annual Action Plan.
<b>April</b>	City Council work session on CDBG Funding Recommendations City Council Public Hearing on its CDBG Allocations Draft Annual Action Plan due to Alameda County HCD
<b>May</b>	Final Annual Action Plan submitted to HUD

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### **Annual Funding Forum**

Planning for a new program year begins with the Annual Funding Forum - typically scheduled for December. This meeting is designed to encourage low and moderate-income persons, members of minority groups, members of non-English speaking groups, and residents of targeted neighborhoods to express their views and ideas regarding community development and housing needs. The forum, sponsored by the CAC, presents the following information to Hayward residents and nonprofit organizations:

- CDBG program requirements and the annual application processes;
- The amount of CDBG funds anticipated to be available for eligible activities;
- The range of activities which may be undertaken with these funds; and
- Examples of projects funded during prior program years.

Forum participants are invited to discuss City needs in the areas of housing, economic development, and neighborhood revitalization. The discussion is structured to identify the needs of low and moderate-income households that can be addressed through the CDBG program and to identify activities to meet those needs. The project proposal submission, evaluation, and approval process and a timeline are also presented to facilitate resident participation.

### **Proposal Evaluation and Funding Process**

The City of Hayward facilitates a proposal evaluation process to guide a fair and open process for evaluating, prioritizing, and selecting activities to receive funding. The following are examples of criteria considered during the proposal evaluation process, although additional factors may also be considered (e.g., City Council Priorities, unexpected or urgent local needs, etc.):

- Activity eligibility (with regard to HUD/CDBG program requirements),
- Activity meets a CDBG National Objective,
- Reasonableness of proposed cost,
- Subrecipient capacity to carry out the project (including fiscal/administrative controls),
- Priority of need to be addressed.

Based on the review of the funding proposals, and interviews with applicants, the CAC and City staff each prepare respective "draft" Funding Recommendations. After the "draft" Funding Recommendations are determined, there is a 30-day Public Comment Period during which members of the public, including applicants may submit or present comments to the CAC and/or City staff regarding the "draft" Funding Recommendations. At the conclusion of the 30-day Public Comment period, the CAC and City staff finalize their respective Funding Recommendations, which are subsequently forwarded to the City Council.

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In early April, the City Council conducts a work session during which it reviews and discusses the Funding Recommendations. A 30-day Public Hearing Notice is published in advance of the City Council meeting when the subsequent year's CDBG funding allocations are to be determined, and which will then become the substantive portion of the City's Annual Action Plan for Non-HOME Funds. The Public Hearing is scheduled to take place at a regular evening meeting of the City Council. City Council meetings are televised locally. People who have disabilities and wish to attend the Public Hearing in person are encouraged to request accommodations as needed.

The City's complete Annual Action Plan for Non-HOME Funds is developed each year in accordance with the housing and community development goals and objectives articulated in the City's five-year HUD-approved Consolidated Plan. The City of Hayward works with the Alameda County Department of Housing and Community Development to prepare the Annual Action Plan each year to:

- Identify the activities to receive an allocation of CDBG funds;
- Serve as an application for HUD funding; and
- Certify the City of Hayward's compliance with a variety of federal regulations.

A draft Annual Action Plan is prepared by the City of Hayward and published by the Alameda County Department of Housing and Community Development. For more information about the development of the Annual Action Plan please contact the Alameda County Department of Housing and Community Development at (510) 670-5398.

Copies of the complete draft Action Plan will be made available at the City of Hayward's Neighborhood Services Division. The Hayward City Council will consider any comments or complaints received in writing or at public hearings. A summary of the comments or complaints will be included with any documents submitted to HUD.

#### **Amending the Annual Action Plan**

As referenced previously, the purpose of the Annual Action Plan is the presentation of activities to receive CDBG funding. However, from time to time the City of Hayward may need to modify the Annual Action Plan. Changing the use of CDBG funds from one eligible activity to another will constitute a substantial amendment to the Annual Action Plan. An amended Annual Action Plan will be developed and published through a citizen participation process similar to that of developing the initial Annual Action Plan, however the time allowed for public review and comment of proposed revisions may be adapted as necessary to meet urgent community needs.

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**B. HOME Investment Partnership Program**

The City of Hayward receives funding from the HOME Investment Partnership through its participation in the Alameda County HOME Consortium. The HOME Consortium was established in 1991 to obtain an allocation of funds under the Affordable Housing Act of 1990 for the development or rehabilitation of affordable housing. The HOME Consortium includes the cities of Alameda, Fremont, Hayward, Livermore, Pleasanton, San Leandro, and Union City, and the Urban County jurisdictions of Albany, Dublin, Emeryville, Newark, Piedmont, and the unincorporated areas.

HOME funds may be used to acquire, rehabilitate, finance and construct affordable housing. The Alameda County Department of Housing and Community Development is responsible for preparing plans and reports required by federal HOME program regulations. Therefore, this Citizen Participation Plan will only provide a brief description of the citizen participation requirements for the HOME program. For more information regarding the HOME program, please contact the Alameda County Department of Housing and Community Development at (510) 670-5398.

**Alameda County HOME Consortium Five Year Consolidated Plan**

The Alameda County HOME Consortium Five Year Consolidated Plan is the primary long-range planning document for the City's HOME and CDBG programs, and consists of the following:

- A housing and community development needs assessment,
- An inventory of resources (including HOME and CDBG funds) available to address those needs,
- A five-year strategy with goals and objectives, and
- A one-year Annual Action Plan that identifies the specific activities to be implemented and presents the allocation of the City's HOME and CDBG funds for one fiscal year. Each year following the adoption of the Five Year Consolidated Plan, the City adopts a new Annual Action Plan.

As the lead agency for the Alameda County HOME Consortium, the Alameda County Housing and Community Development is responsible for coordinating the development of the Alameda County Consortium Five Year Consolidated Plan, and certain aspects of the development of the City of Hayward's Annual Action Plan. The Plan presents both county-wide information and information specific to each participating jurisdiction. City of Hayward staff prepares the section relevant to Hayward and its development includes citizen participation by Hayward residents.

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A new Five Year Consolidated Plan is developed every five years and includes community workshops and other related activities. The specific citizen participation process will be established by the County prior to preparing the Plan and will comply with the latest HUD regulations. For more information about the development of the Alameda County HOME Consortium Five Year Consolidated Plan please contact the Alameda County Department of Housing and Community Development at (510) 670-5398.

**Amending the HOME Consortium Annual Action Plan**

From time to time the City of Hayward, as a participant in the Alameda County HOME Consortium may wish to change its allocation of HOME funds. This action will require amending the HOME Consortium Annual Action Plan which originally presented the allocation to be modified. The Alameda County Housing and Community Development Department will issue a public notice on behalf of the City of Hayward announcing the amendments to the City's portion of the Alameda County HOME Consortium Annual Action Plan. Summaries of the draft version of the Amended HOME Annual Action Plan will be available in formats accessible to persons with disabilities, upon request. There will be a public review period of thirty days during which comments on the draft amended Plan may be made before the amendment is finalized. Comments may be registered in writing or orally at public hearings. The Alameda County HOME Consortium shall consider any comments or views of citizens received in writing or orally. A summary of the comments or views, and a summary of any comments or views not accepted and the reasons therefore, will be attached to the substantial amendment upon submission to HUD.

**III. Annual Performance Reports**

HUD requires the City of Hayward to prepare an Annual Performance Report on the activities funded through the CDBG program. The Annual Performance Report requirements typically include the preparation of narrative descriptions of each activity and quantitative analysis of the funds expended and services provided during the program year. Due to the variety of CDBG funded activities, the performance statistics for a given activity may include the number of households served along with other characteristics such as income and demographics or the number of public improvements completed during the program year. HUD frequently updates the regulations regarding the annual performance report. Therefore, this Citizen Participation Plan will focus on the citizen participation process for developing the Annual Performance Report rather than the contents of the report itself.

**Developing Annual Performance Reports**

A draft version of the Annual Performance Report will be developed by City staff and will be made available for a fifteen-day public review period. A notice for the public review period will be published in the Daily Review a local newspaper of general circulation. A summary of the draft Annual Performance Report will be made available in formats accessible to persons with disabilities,

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upon request. The complete draft Annual Performance Report will be made available at the City of Hayward Department of Community and Economic Development. A reasonable number of free copies of the Annual Performance Report will be provided to residents and groups that request them. A summary of the comments or complaints will be included with any documents submitted to HUD. Following the public comment period the final version of the Annual Performance Report will be submitted to HUD.

**IV. General Citizen Participation Issues and Federal Requirements**

**City Council Work Sessions and Public Hearings**

A City Council work session, attended by representatives of the Citizens Advisory Commission and open to the public, is conducted in April to review and discuss CDBG allocations for the subsequent year's Annual Action Plan. The work session precedes the Public Hearing when CDBG allocations are made.

There will be 30-day Public Notices of all Public Hearings, published in the Daily Review, a newspaper of general circulation. All notices will also be published in Spanish, which is the most prevalent language spoken in Hayward after English. In instances of urgent community need, the period of Public Notice may be abbreviated to as little as seven days, but in no case shall it be less than that permitted by HUD.

Public hearings on the CDBG program may be held at various points throughout the program year. In addition to the Public Hearing for the Annual Action Plan, at least one public hearing will be held during the development of the City's Five Year Consolidated Plan. The City will also publish a notice when the final version of any draft document has been submitted to HUD and will be made available upon request.

Meetings are scheduled at times and locations which permit broad participation by low-and moderate-income persons. When needed, translators are made available for non- English speaking attendees and the hearing-impaired. City staff can provide translation services upon request in at least eight languages. In addition, American Sign Language (ASL) interpreters are available upon request.

**Technical Assistance**

To facilitate the continued involvement of low and moderate-income persons, non-English speaking persons, and residents in areas most likely to be affected by the CDBG program, staff provides information and technical assistance to community organizations so they may adequately participate in planning, implementing, and assessing the CDBG program. If needed, City staff also provides technical assistance to groups developing project proposals.

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**Program Information**

The following information will be available to the public from the City of Hayward's Neighborhood Services Division:

- All CDBG program mailings and promotional materials.
- Records of hearings and CAC meetings, a summary of the proposal evaluation process, and by-laws of the CAC.
- All program documentation, including applications from prior program years, letters of approval, performance reports, quarterly evaluation reports, other reports required by HUD, and the proposed and approved application for the current program year.
- Copies of the HUD CDBG regulations governing the program.
- Explanation of program requirements, including contracting and operations procedures, environmental review policies, fair housing, and other equal opportunity requirements, relocation provisions, and the State Executive Order 12372 review process.
- The Citizen Participation Plan.
- Copies of written comments or complaints about the City's CDBG-funded housing and community development activities, the City's assessment of these comments or complaints, and a description of any actions taken.
- Copies of the Consolidated Plan and the Action Plan are available at the City's Neighborhood Services Division.
- All documents are available in Braille by written request. Please allow 5 working days for preparation.

City staff will provide translation services for Spanish speaking residents upon request. Assistance in other non-English languages is available as well. For hearing-impaired residents ASL interpreters will be provided with at least 24 hours of advance notice.

**Public Comments**

Citizens may submit comments or complaints by letter, facsimile, telephone, or in person regarding any aspect of the CDBG program by calling (510) 583-4250, or by faxing (510) 583-3650. Written comments should be sent to the following address. All written complaints will be answered in writing within 15 working days.

City of Hayward, Neighborhood Services Division  
777 B Street, Hayward CA 94541  
Attention: CDBG Program Manager

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When preparing the Annual Action Plan, the City of Hayward will consult with other public and private agencies that provide assisted housing, health services, and social services. The City of Hayward will also consult with adjacent units of general local government, including local government agencies with metropolitan-wide planning responsibilities where they exist, particularly for problems and solutions that go beyond a single jurisdiction.

### **Lead-Based Paint Hazards**

The Alameda County Department of Housing and Community Development, Lead Poisoning Prevention Program is the lead agency responsible for addressing lead-based paint hazards. The Program's mission is to prevent childhood lead poisoning. The Lead Poisoning and Prevention Offices are located in Oakland but their jurisdiction includes the City of Hayward. Information and home test kits are available free of charge. The Program's general information line is (510) 567-8280.

### **Administering the Citizen Participation Plan**

The Citizen Participation Plan (CPP) is subject to federal regulations that require resident participation during its initial development and any subsequent revisions. From time to time the City of Hayward may revise the CPP to reflect changes in HUD regulations or the citizen participation process.

To revise the CPP, a draft version of the revised CPP will be prepared by City staff and made available for a fifteen-day public review period. A notice for the public review period will be published in the Daily Review a newspaper of general circulation. A summary of the draft revised CPP will be made available in formats accessible to persons with disabilities, upon request. The complete draft revised CPP will be made available at the City of Hayward Neighborhood Services Division during the public review period. A reasonable number of free copies of the draft revised CPP will be provided to residents and groups that request them.

Following the public comment period, a Public Hearing will be held on the draft revised CPP at a time and location convenient to potential and current program beneficiaries and will accommodate persons with disabilities. A notice for the hearing will be published in the Daily Review a newspaper of general circulation. The notice will include a list of the locations where complete copies may be reviewed. The Hayward City Council shall consider any comments or complaints received in writing, or at public hearings.

Occasionally, the City may be eligible to apply for and/or receive other types of federal funding through HUD (e.g., ESG, etc.) to respond to emergency or urgent community needs.. If the City's CPP does not include specific guidance for public participation for a particular type of HUD funding and urgent community need does not allow time for the normal process for revision of the CPP to include such guidance, the citizen participation requirements of the CDBG program may be used *or adapted* and used to permit the City to apply for and/or receive those funds. In such instances, citizen participation will be invited to the greatest extent possible, and in no case shall it be less than that which is required by HUD to qualify for those funds.

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**Anti-Displacement Plan**

The City of Hayward seeks to avoid temporary or permanent displacement of Hayward residents by City action whenever feasible. When displacement occurs as a result of federally-funded activities, The City of Hayward will act in compliance with Section (104) of the Housing and Community Development Act of 1974, as amended, to mitigate any negative impacts of federally-funded activities. Mitigating actions may include providing replacement low and moderate-income housing and appropriate relocation benefits to households displaced.

If relocation services are required, displaced persons will be given a written description of the City's Relocation Program. These materials include:

- Descriptions of replacement housing and relocation payments,
- Eligibility conditions,
- Procedures for obtaining payment,
- Advisory services,
- Explanation of the ninety-day advance notice,
- Assurance that the displaced cannot be required to move permanently unless at least one comparable replacement dwelling has been made available.

Benefits include a choice of three or more comparable replacement dwellings (if available) or replacement housing payments, transportation to inspect housing, payment for moving and related expenses, and counseling to minimize adjustment hardships. Real property will be acquired by negotiation only after a written appraisal. Owners will be offered just compensation and will be paid before surrendering possession of their property.

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**Glossary**

**Action Plan** - A plan submitted to HUD annual which specifically describes the allocation of CDBG funds to activities to be conducted in support of the priorities presented in the Consolidated Plan.

**CDBG** - The US Department of Housing and Urban Development's Community Development Block Grant program.

**Consolidated Plan** - A plan that includes a housing and community development needs analysis, a survey of resources available to address those needs, and a five-year strategy that includes goals and priorities for the use of CDBG funds. The Consolidated Plan must be updated every five years and serves as the strategic foundation for subsequent one-year Action Plans.

**Consortium** - An organization of geographically contiguous units of general local government that are acting as a single unit of general local government for purposes of the HOME program.

**HOME** - The US Department of Housing and Urban Development's HOME Investment Partnership Program. This program provides funds for affordable housing programs and projects.

**HUD** - The US Department of Housing and Urban Development.

**Income:** Please refer to the following HUD-defined income categories:

**Extremely Low-Income** - Total household income is between 0 and 30 percent of the median income for the area, as determined by HUD adjusted for household size.

**Very Low-Income** - Total household income does not exceed 50 percent of the median income for the area, as determined by HUD adjusted for household size.

**Low-Income** - Total household income does not exceed 80 percent of the median income for the area, as determined by HUD adjusted for household size.

**Moderate-Income** - Total household income does not exceed 120 percent of the median income for the area, determined by HUD adjusted for household size.

**Program Year** - The City of Hayward receives HUD funding and must complete several HUD-mandated tasks on an annual basis. The CDBG program operates according to a 12-month schedule that corresponds with the City's fiscal year - July 1 through June 30.

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**Other Housing and Community Development Resources**

The following agencies and organizations provide housing and community development services to Hayward -citizens. Please contact them if you have questions about any of their activities.

Alameda County Housing Authority - General housing services (510) 538-8876

ECHO Housing - Fair housing and landlord-tenant dispute mediation (510) 581-9380

Eden Information and Referral - General housing services (510) 537-2552

