



**Housing and Neighborhood Development  
(formerly Community Development)  
Department**

**Citizen Participation Plan  
Revised April 24, 2020**

The U.S. Department of Housing and Urban Development (HUD) issued a Memorandum to all of its Community Planning and Development (CPD) Field Offices on March 31, 2020, with the purpose of explaining the availability of waivers of certain regulatory requirements associated with several CPD grant programs to prevent the spread of COVID-19 and to facilitate assistance to eligible communities and households economically impacted by COVID-19. The Memorandum also covered waivers of consolidated plan requirements for all CPD formula programs. The City of Knoxville notified HUD on April 2, 2020, that it intended to use the waiver flexibility on/after April 7, 2020.

The Memorandum addressed two Consolidated Plan Requirements:

- ***Citizen Participation Public Comment Period for Consolidated Plan Amendments***

*Requirement: 30-day Public Comment Period*

*Citations: 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115 (c)(2) and (i), and 24 CFR 91.401.*

*Explanation: A CPD grantee may amend an approved consolidated plan in accordance with 24 CFR 91.505. Substantial amendments to the consolidated plan are subject to the citizen participation process in the grantee's citizen participation plan. The citizen participation plan must provide citizens with 30 days to comment on substantial amendments.*

*Justification: Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115 (c)(2) and (i) as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirements to provide reasonable notice and opportunity for citizens to*

*comment on substantial amendments concerning the proposed use of CDBG, HOME, HTF, HOPWA, or ESG funds.*

*Applicability: This 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 the recipient'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 FY2021 Annual Action Plan.*

- ***Citizen Participation Reasonable Notice and Opportunity to Comment***

*Requirement: Reasonable Notice and Opportunity to Comment*

*Citations: 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115 (c)(2) and (i), and 24 CFR 91.401.*

*Explanation: As noted above, the regulations at 24 CFR 91.105 (for local governments) and 91.115 (for states) set 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 will be given.*

*Justification: HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115 (c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.*

*Applicability: This authority is in effect through the end of the 2020 program year.*

The U.S. Department of Housing and Urban Development (HUD) issued a Memorandum to all of its Community Planning and Development (CPD) Field Offices on April 10, 2020, with the purpose of providing guidance and the necessary statutory suspensions and regulatory waivers to enable HOME participating jurisdictions (PJs) affected by the Coronavirus Disease 2019 (COVID-19) pandemic to use HOME funds to address immediate housing needs and to help prevent spread of the virus. Section II describes regulatory waivers available to all HOME PJs, not just those included in a major disaster declaration.

The City of Knoxville requested certain specific HOME waivers from HUD on April 24, 2020, including the below regulatory waiver regarding Citizen Participation Reasonable

Notice and Opportunity to Comment. HUD notified the City of approval of the request on April 24, 2020.

***Regulatory Waivers Available to All Participating Jurisdictions***

*The following regulatory waivers are available to all PJs, not just those PJs covered by a major disaster declaration under Title IV of the Stafford Act. Pursuant to the authority provided in 24 CFR 5.110, I hereby waive the HOME regulatory requirements specified below for all HOME PJs.*

**1. Citizen Participation Reasonable Notice and Opportunity to Comment**

*Citation: 24 CFR 91.105(c)(2) and (k) (Local governments), 24 CFR 91.115(c)(2) and (i) (States), and, 24 CFR 91.235(e) (Insular areas) 24 CFR 91.401 (Consortia)*

*Explanation: The regulations at 24 CFR 91.105(c)(2) and (k) (Local governments), 24 CFR 91.115(c)(2) and (i) (States), 24 CFR 91.235(e) (Insular Areas), and 24 CFR 91.401 (Consortia) set forth the citizen participation requirements for PJs. For substantial amendments to the consolidated plan, the regulations require the PJ 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. This waiver will permit PJs amending their plans as a result of the COVID-19 pandemic to reduce the comment period to 5 days.*

*Justification: Given the unprecedented economic disruptions caused by the COVID-19 pandemic, PJs may need to expeditiously reprogram HOME funds to activities that more directly meet their immediate housing needs, including reprogramming funds to cover increased administrative costs or away from other development activities. Requiring these PJs to complete the required public comment period would cause undue delays in the face of urgent and growing need. PJs must have the ability to respond immediately to the unprecedented housing need caused by the COVID-19 pandemic.*

*Applicability: This waiver is in effect for any necessary substantial amendments to FY 2020 and earlier consolidated plans or action plans.*

## Citizen Participation Plan

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This Citizen Participation Plan is designed to encourage citizens to review, comment, and/or otherwise participate in the development of the following plans and reports:

- Five-Year Consolidated Plan;
- Annual Action Plan updates;
- Analysis of Impediments to Fair Housing Choice (AI)
- Substantial Amendments to the Consolidated and Annual Action Plan; and
- Consolidated Annual Performance and Evaluation Reports (CAPER).

The City of Knoxville Housing and Neighborhood Development (HND) Department submits these documents to the U.S. Department of Housing and Urban Development (HUD) as part of its responsibilities in receiving funding under the Community Development Block Grant (CDBG), HOME Investment Partnerships Act (HOME), and Emergency Solutions Grant (ESG) programs.

These documents and the Citizen Participation Plan are available on the HND Department's website at [www.knoxvilletn.gov/development](http://www.knoxvilletn.gov/development) at all times for viewing. Residents can contact the HND Department to receive a hard copy of any plan or report by calling 865-215-2357.

The City encourages participation by all citizens, particularly low- and moderate-income people. The City provides accommodations to encourage the participation of all citizens, including minorities and non-English speaking persons, as well as persons with disabilities. Information about how to request accommodations to make participation easier or possible will be included in public notices. People living in public and assisted housing and low- and very low-income residents of City target areas (blighted areas in which funds are proposed to be used) will be especially encouraged to participate. The HND Department, in partnership with the City's Office of Neighborhoods, will continue to build capacity for participation in the community development process in neighborhoods and other areas where CDBG funds are proposed to be used, especially by residents of predominantly low- and moderate-income neighborhoods.

The City revises its Citizen Participation Plan, as necessary, with the development and release of its draft Consolidated Plan. Citizens are welcome to provide comment on the Citizen Participation Plan and on substantial amendments to the Citizen Participation Plan. The City will make the Citizen Participation Plan available in a format accessible to persons with disabilities, upon request.

**(4)** The citizen participation plan shall describe the [jurisdiction](#)'s procedures for assessing its language needs and identify any need for translation of notices and other vital documents. At a minimum, the citizen participation plan shall require that the

[jurisdiction](#) take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English-speaking residents of the community.

Through this plan, citizens have the opportunity, and are encouraged, to express their views and concerns to assist in strengthening government operations with regard to community development in the city of Knoxville.

### **Information Sharing**

The HND Department will provide information to citizens on the amount of funds available and the range of programs, projects, services, and activities that can be undertaken, and on plans to minimize displacement and to assist any person displaced. This information is on file at the HND Department's offices and will be presented at annual public hearings.

The HND Department's goal is to minimize displacement of persons by its activities. The HND Department has developed a plan that defines the types and levels of assistance that is provided to a person or household that is displaced. Displacement might occur, for example, when a major rehabilitation project is undertaken on someone's house or apartment complex/building.

The HND Department works cooperatively and provides information to Knoxville's Community Development Corporation (KCDC), Knoxville's public housing authority, about Consolidated Plan activities.

### **Consolidated Plan**

The City of Knoxville also encourages the participation of local and regional institutions, the Knoxville-Knox County Continuum of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing the consolidated plan. The [jurisdiction](#) shall encourage the participation of public and private organizations. Commencing with [consolidated plans](#) submitted on or after January 1, 2018, such consultations shall include broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies in the process of developing the [consolidated plan](#).

(iii) The [jurisdiction](#) shall encourage, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments (including any resident advisory boards, resident councils, and resident management corporations) in the process of developing and implementing the AFH and the [consolidated plan](#), along with other low-income residents of targeted revitalization areas in which the developments are located. The [jurisdictions](#) shall make an effort to

provide information to the PHA about the AFH, AFFH strategy, and [consolidated plan](#) activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

(iv) The [jurisdiction](#) should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; *e.g.*, use of focus groups and the Internet.

### **Public Input**

The intended outcome of the consolidated planning process is the integration of the broad base of knowledge and expertise of residents with those in the affordable housing and community development fields, including staff of the Housing and Neighborhood Development (HND) Department.

### **Citizen Input Notification**

Typically, residents of the city of Knoxville would be notified about the HND Department's public input process at least two weeks ahead of any public event via fliers, letters, brochures, fact sheets, and at least one week in advance via advertisements, news releases, public service announcements, Face Book posts, feature stories, and/or display notices. However, due to the current states of emergency (national, State of Tennessee, and City of Knoxville at this time) regarding the novel Corona/COVID-19 virus, the Department intends to give no less than five days notice by publishing opportunities for public input on its web site ([www.knoxvilletn.gov/development](http://www.knoxvilletn.gov/development)), through the City's Office of Neighborhoods weekly newsletter, and by publishing in the legal notices section of the Knoxville News Sentinel.

Typically, HND staff attend local events or workshops and/or neighborhood meetings to share information about the Department's plans under review. However due to the states of emergency (national, State of Tennessee, and City of Knoxville) regarding the novel Corona/COVID-19 virus, as well as following the guidance of the CDC and the Knox County Health Department regarding social distancing, HND Department staff are not attending any in-person meetings.

HND Department staff organize and host at least two public hearings each year to access resident's views on housing and community development needs. At least one of these meetings is held to get input before the Five-Year Consolidated Plan/Annual Action Plan is drafted, and at least one is held to discuss the Draft Consolidated Plan/Annual Action Plan and receive feedback prior to its submission. Additional public input meetings may be held during the year or as-needed to gather input from residents. Public hearings are planned to be at times and locations convenient to

potential or actual program beneficiaries, with accommodations for persons with disabilities. However due to the states of emergency (national, State of Tennessee, and City of Knoxville) regarding the novel Corona/COVID-19 virus, as well as following the guidance of the CDC and the Knox County Health Department regarding social distancing, HND Department staff are not hosting any in-person meetings. Department staff intend to hold any required meetings via video conferencing software through the end of the 2020 program year.

HND Department staff are available by telephone, email, and when feasible, via video conferencing software to respond to proposals and questions at all stages of the community development program year.

### **Availability of Draft Plans/Reports for Citizen Review and Comment**

Typically, the HND Department will announce when any draft plan/report is complete and make it available for review and comment for a 30-day public comment period. However, given the need to expedite actions to respond to COVID-19, no less than a 5-day public comment period will be given.

Draft plans/reports will be made available for review on the Housing and Neighborhood Development Department's website at [www.knoxvilletn.gov/development](http://www.knoxvilletn.gov/development). Unfortunately, due to public building closures and guidance on social distancing with COVID-19, hard copies cannot be distributed at other locations at this time.

Official notification(s) that a draft plan/report is available for public comment will be advertised in the Knoxville News Sentinel. Notice will also be posted on the HND Department's website at [www.knoxvilletn.gov/development](http://www.knoxvilletn.gov/development) and may be posted in the City's Office of Neighborhood's newsletter and on social media, when feasible. The notification will provide a summary of the proposed plan/report, how the draft plan/report can be obtained, the various ways residents may give comments, dates when comments can be received and, if a virtual public meeting is planned, the details of how to access video conferencing software.

### **Submission of Comments**

Comments, complaints, suggestions, or questions regarding any aspect of any HUD-funded program may be directed to the Community Development Administrator, by:

Telephone: (865) 215-2357

Email: [LRust@knoxvilletn.gov](mailto:LRust@knoxvilletn.gov)

Mailing Address: P.O. Box 1631, Knoxville, TN 37901

Fax: (865) 215-2962

When preparing the Five-Year Consolidated Plan/Annual Action Plans, the HND Department will consult with a variety of other stakeholders, including public and private, non-profit and for profit, organizations/agencies, adjacent units of general local government, and Knoxville-Knox County Planning.

All comments and views expressed during any public comment period will be considered, along with factors such as HUD regulations/requirements and availability of resources, in preparing the Five-Year Consolidated Plan, Annual Action Plans, Substantial Amendments, Analysis of Impediments to Fair Housing Choice (AI), and Consolidated Annual Performance and Evaluation Reports (CAPER). A summary of public comments will be attached to the final Five-Year Consolidated Plan, Annual Action Plans, Substantial Amendment, AI, or CAPER reports.

The HND Department intends to provide residents with a timely, substantive written response to written complaints and grievances related to the Five-Year Consolidated Plan/Annual Action Plans, Substantial Amendments, AI, or CAPER, within 15 working days.

### **Consolidated Annual Performance and Evaluation Report (CAPER)**

HUD requires the City of Knoxville to prepare and submit performance reports in accordance with various programs' regulations and rules. The Consolidated Annual Performance and Evaluation Report (CAPER) 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. HUD frequently updates the regulations regarding the annual performance report. Therefore, this Citizen Participation Plan will focus on the public participation process for developing the CAPER rather than the contents of the report itself.

A draft version of the Consolidated Annual Performance and Evaluation Report (CAPER) will be developed by City staff. Typically, the draft CAPER is made available for a 15-day public comment period. However, due to and will be made available for no less than five days to allow citizens the opportunity to review and submit comments. A notice for the public review period will be published in the Knoxville News Sentinel, a local newspaper of general circulation. A summary of the draft CAPER will be made available in formats accessible to persons with disabilities, upon request. The complete draft CAPER will be made available at the City of Knoxville's Housing and Neighborhood Development Department's web site ([www.knoxvilletn.gov/development](http://www.knoxvilletn.gov/development)). 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 CAPER will be submitted to HUD.



## **Amendments**

Amendments to the Five-Year Consolidated Plan and/or an Annual Action Plan may occur in the event of a substantial change in the City's HND program. A substantial change is defined by federal regulation and is one or more of the following:

- A change in the national objective met by an activity;
- A change in target area (as defined in the Strategic Plan section of the Five-Year Consolidated Plan);
- For non-housing activities, a change of 10% or \$100,000, whichever is greater, in the amount to be expended on an activity; or
- For housing activities, a change of 10% or \$200,000, whichever is greater, in the amount of funds to be made available for housing activity categories. Changes in location for housing activities will be considered a substantial change only if there is a waiting list for the project from which funds are transferred that would require an amount of funding in excess of the amount remaining in the budget for that project.

If program income for a given project is \$100,000 or more over the projected levels, either the Consolidated Plan will be amended, or the excess program income will be included in the following year's Annual Action Plan.

## **Access to Records**

Information and records for the past five years are on file at the Community Development office. It is the City's intention to provide citizens with reasonable and timely access to information and records relating to the proposed use of funds, but during the time when CDC and Knox County Health Department guidelines for social distancing are in effect, access may be limited. For a public records request, please call 865-215-2357 or write to City of Knoxville Housing and Neighborhood Development Department, PO Box 1631, Knoxville, TN 37901-2962.

## **Technical Assistance**

The Department intends to provide technical assistance to groups representative of low- and very low-income people and special interest groups located in or serving targeted areas that request such assistance in developing proposals for any program covered under the Consolidated Plan. Normally, technical assistance may take the form of workshops, site visits, referrals to other technical assistance organizations, or one-on-one assistance. However, due to guidance of the CDC and the Knox County Health Department regarding social distancing, all in-person meetings are suspended.