



**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.

Revisions regarding the above HUD waivers and other changes in normal practices due to COVID-19 are noted in **red** in the document below. The HND Department asks for your patience as they adapt to rapidly changing circumstances with the Coronavirus/COVID-19 pandemic and its impacts. They also wish to offer substitutions to any of its normal practices to protect everyone's safety, when it can reasonably do so. Please don't hesitate to submit a request or comment to Linda Rust, Community Development Administrator, Housing and Neighborhood Development Department by phone 865-215-2357, by email to LRust@knoxvilletn.gov or by mail to P.O. Box 1631, Knoxville, TN 37901-2962.

Citizen Participation Plan

The City of Knoxville Housing and Neighborhood Development (formerly Community Development) Department encourages the participation and input of citizens in the planning and implementation of its affordable housing and community development activities. This Citizen Participation Plan process applies to programs funded under the Community Development Block Grant (CDBG), HOME Investment Partnership Act (HOME), and Emergency Solutions Grant (ESG) programs of the U.S. Department of Housing and Urban Development (HUD). Through the Citizen Participation Process, citizens have the opportunity, and are encouraged, to express their views and concerns to assist in strengthening government operations with regard to affordable housing and community development in the City of Knoxville.

Citizen Input

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

The HND Department encourages participation of all citizens, and partners with the City's Office of Neighborhoods, service provider agencies, and others to build capacity in neighborhoods for participation in the affordable housing and community development process. This includes reaching out to residents of public and assisted housing, minorities, non-English speaking persons and persons with disabilities. Persons of low- and very low-income who are residents of City target areas (blighted areas in which funds are proposed to be used) will be especially encouraged to participate.

The Consolidated Plan, Annual Action Plan updates, and Consolidated Annual Performance and Evaluation Report (CAPER) are all available on the City's website www.knoxvilletn.gov/development at all times for viewing. Citizens can contact the Department to request a hard copy of any plan or report by calling 865-215-2357 or by email to LRust@knoxvilletn.gov, or by mail to Linda Rust, Community Development Administrator, City of Knoxville Housing and Neighborhood Development Department, PO Box 1631, Knoxville, TN 37901-2962.

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 the City submits to HUD:

- Five-Year Consolidated Plan;
- Annual Action Plan updates;
- Substantial Amendments to the Consolidated and Annual Action Plan; and

- Consolidated Annual Performance and Evaluation Reports (CAPER).

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 office and will be presented at the annual public hearings.

The HND Department's goal is to minimize displacement of persons. 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 provides information to the public housing authority, Knoxville's Community Development Corporation (KCDC), about Consolidated Plan activities related to KCDC's developments and surrounding communities so that KCDC can make this information available at their annual public hearing required under the Comprehensive Grant program.

To serve all citizens, the City of Knoxville will accommodate the needs of people who have a disability. Please contact the City of Knoxville's ADA Coordinator, Stephanie Brewer Cook at 865-215-2034 or scook@knoxvilletn.gov at least 72 business hours (3 business days) prior to the meeting.

The City of Knoxville is committed to meeting the needs of non-English speaking citizens. If a citizen has Limited English Proficiency (LEP) and wants to request interpretation services, they can contact the City of Knoxville's Title VI Coordinator, Tatia M. Harris at tharris@knoxvilletn.gov or 865-215-2831, at least 48 hours (2 days) prior to the meeting.

Citizen Input Notification

The HND Department will notify citizens about its citizen input process at least two weeks ahead of any public event by publishing opportunities for public input on its web site (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. When feasible, the HND Department may also provide notification via fliers, letters, brochures, fact sheets, advertisements, news releases, public service announcements, Face Book posts, feature stories, and/or display notices.

Due to current states of emergency (national, state of Tennessee, and City of Knoxville at this time) regarding the novel Corona/COVID-19 virus, the HND Department intends to give less than two weeks, but no less than five days, notice of Amendments to its 2015-2019 Consolidated Plan. It will do this by publishing opportunities for public input on its web site (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.

HND Department staff attend local events or workshops and/or neighborhood meetings to share information about plans under review.

Due to the current 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 citizen input/public meetings each year to hear citizen's views on affordable housing and community development needs. At least one of these meetings is held to get citizen input before the Five-Year Consolidated Plan/Annual Action Plan update is written, and one is held to discuss the draft Consolidated Plan/Annual Action Plan and receive feedback prior to its submission.

The City held three public meetings in preparation for the 2020-2024 Consolidated Plan. Due to the current 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 intending to hold an additional *in-person* public meeting on the draft Consolidated Plan. HND Department staff will however, prepare a summary of the 2020-2024 Consolidated Plan and Year One Annual Action Plan and present it via a MS Power Point presentation available for public viewing on its web page (www.knoxvilletn.gov/development). This will be available during the public comment period for the plans.

Additional citizen input meetings may be held during the year or as-needed to gather citizen input. Public meetings are planned to be at times and locations convenient to potential or actual program beneficiaries, with accommodations for persons with disabilities and are held, as much as possible, at times of day and in areas that facilitate the attendance of low- and very low-income people.

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 intending to host any in-person meetings at this time. If necessary, and depending upon how long the social distancing guidance is in effect, HND Department

staff may hold public meetings via video conferencing software.

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 program year. A citizen may call 311 and will be directed to HND staff contact information.

Draft Plan Availability for Citizen Review and Comment

The HND Department will announce when any draft plan or report is complete and make it available for review and a public comment period. The public comment period is 30 days for Consolidated Plans and Annual Action Plans and 15 days for the Consolidated Annual Performance and Evaluation Report (CAPER).

Due to current states of emergency (national, state of Tennessee, and City of Knoxville at this time) regarding the novel Corona/COVID-19 virus, the HND Department intends to give less than two weeks, but no less than five days, notice of Amendments to its 2015-2019 Consolidated Plan. It will do this by publishing opportunities for public input on its web site (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.

Draft plans and reports will be made available for review on the HND Department's website (www.knoxvilletn.gov/development), at their offices in the City/County Building, 400 Main Street, Fifth Floor, Suite 515, at the Lawson McGhee Public Library downtown, and the main office of the Knoxville-Knox County Community Action Committee (CAC).

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, many public buildings are either closed or have staff telecommuting. Hard copies can be requested by calling (865) 215-2357 or by emailing LRust@knoxvilletn.gov.

Official notification(s) that the draft Plan is available will be advertised in the local newspaper of general circulation – the Knoxville News Sentinel. The notification will provide a summary of the proposed plan/report, how the full draft plan/report can be obtained, the various ways citizens may give comments, dates when comments can be received, and the date of any public meeting (or, if feasible, the date of a virtual public meeting). Notice will also be posted on the HND Department's web page (www.knoxvilletn.gov/development) and in the City's Office of Neighborhood's newsletter.

Submission of Comments

Citizens may submit comments, complaints, suggestions, or questions via U.S. mail, facsimile, or by email regarding any aspect of any HUD-funded program, including the CDBG program, by calling (865) 215-2357, or by faxing (865) 215-2962. Written comments can be emailed to LRust@knoxvilletn.gov or mailed to Linda Rust, Community Development Administrator, Housing and Neighborhood Development at P.O. Box 1631, Knoxville, TN 37901-2962.

When preparing the Five-Year Consolidated Plan/Annual Action Plan update, the City of Knoxville Housing and Neighborhood Development (HND) Department will consult with other public and private agencies that provide assisted housing, health services, and social services. The City of Knoxville will also consult with its Continuum of Care (CoC) and 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.

All comments and views expressed during the public comment period will be considered, along with other key considerations, such as the affordable housing and community development budget, in preparing and revising the Five-Year Consolidated Plan, Annual Action Plan updates, Substantial Amendments, and Consolidated Annual Performance and Evaluation Reports (CAPER). A summary of citizen comments will be attached to the final Five-Year Consolidated Plan, Annual Action Plan updates, Substantial Amendment, or CAPER/Annual Reports.

The HND Department intends to provide citizens with a timely, substantive written response to written complaints and grievances related to the Five-Year Consolidated Plan/Annual Action Plan updates, Substantial Amendments, or Reports, within fifteen working days.

Consolidated Annual Performance and Evaluation Report (CAPER)

HUD requires the City of Knoxville HND Department 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 citizen 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 HND Department staff and will be made available for no less than fifteen 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). 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 or Annual Action Plans may occur in the event of a substantial change in the City's Housing and Neighborhood Development program. A substantial change is defined by federal regulation and is one or more of the following:

- New source(s) of federal funding;
- 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.

Due to current states of emergency (national, state of Tennessee, and City of Knoxville at this time) regarding the novel Corona/COVID-19 virus, the HND Department intends to give less than two weeks, but no less than five days, notice of Amendments to its 2015-2019 Consolidated Plan. It will do this by publishing opportunities for public input on its web site (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.

Access to Records

Information and records for the past five years are on file at the HND Department's 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. To request access to a public record, please call 865-215-2357 or send an email to LRust@knoxvilletn.gov, or write to Linda Rust, Community Development Administrator, City of Knoxville Housing and Neighborhood Development Department, P.O. Box 1631, Knoxville, TN 37901-2962.

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, access may be limited at this time.

Technical Assistance

The HND 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. Technical assistance may take the form of workshops, site visits, referrals to other technical assistance organizations, or one-on-one assistance. To request technical assistance, please call 865-215-2357 or send an email to LRust@knoxvilletn.gov, or write to Linda Rust, Community Development Administrator, City of Knoxville Housing and Neighborhood Development Department, PO Box 1631, Knoxville, TN 37901-2962.

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, all in-person meetings are suspended at this time.