

CITY OF RIO RANCHO
CITIZEN PARTICIPATION PLAN
FOR THE
CONSOLIDATED PLAN
APRIL 2020



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Rio Rancho, New Mexico 87144-4501
505-891-5010
www.rrnm.gov

Introduction

The purpose of the Citizen Participation Plan (CPP) is to establish a viable means by which citizens of the City of Rio Rancho (City), local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) can actively participate in the development of activities undertaken with Community Development Block Grant funds and to set forth the jurisdiction's policies and procedures for citizen participation.

The Citizen Participation Plan has been prepared and implemented pursuant to federal regulations (U. S. Department of Housing and Urban Development (HUD) Regulations 24 CFR Part 91.105) and the City of Rio Rancho's desire to encourage and support public participation in the development of the Consolidated Plan, Annual Action Plan, CAPER, and AFH.

The actions delineated in this Citizen Participation Plan relate to the planning and expenditure of funds provided to the City by the U.S. Department of Housing and Urban Development (HUD) Office of Community Planning and Development (CPD). CPD entitlement funds received by the City include the Community Development Block Grant (CDBG) and other such grants as may be added by law.

Encouragement of Citizen Participation

It is the intent of the City of Rio Rancho to encourage citizens to participate in the development of the Assessment of Fair Housing (AFH), any revisions to the AFH, the Consolidated Plan, and any substantial amendment to the Consolidated Plan, Annual Action Plan and the CAPER. The goal of the CPP is to encourage participation by low and moderate income persons, particularly those persons living in areas designated as a revitalization area, a slum and blighted area, areas where CDBG funds are proposed to be used, and by residents of predominantly low and moderate income neighborhoods within the City. The City encourages the participation of local and regional institutions and other organizations (including businesses, developers, and community-based and faith-based organizations) in the process of developing and implementing the Consolidated Plan, Annual Action Plan, CAPER, and the AFH, and any revisions thereto. The City also encourages the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

The City encourages 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, the Consolidated Plan, the Annual Action Plan, and CAPER along with other low-income residents of targeted revitalization areas in which the developments are

located. The City will make an effort to provide information to the Public Housing Authority (PHA) about the AFH, Affirmatively Furthering Fair Housing (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.

The Plan assures that citizens, non-profit organizations, and other interested parties are afforded adequate opportunity to review and comment on plans, programs, activities and reports covering the City's federally funded housing and community development programs.

Technical Assistance

The City will provide necessary technical assistance to groups representative of persons of low and moderate income that request such assistance in commenting on the AFH and in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan. The technical assistance will be offered any time proposals for the use of funding are requested.

Access to Records

The City of Rio Rancho will provide residents of the community, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's AFH, Annual Action Plan, CAPER and Consolidated Plan for the preceding 5 years.

The public will be provided reasonable access to housing assistance records, subject to state and local laws regarding privacy and obligations of confidentiality. Confidential documents will be set apart from public information, and any requestors of this information will be promptly informed.

Availability to the Public

In the spirit of encouraging public participation, copies of standard documents including the Consolidated Plan as adopted, Consolidated Plan Substantial Amendments, HUD-accepted AFH, revisions to the AFH, Annual Action Plan, and the CAPER will be available to the public in English and translated into Spanish upon request. The materials will be made available in a form accessible to persons with disabilities upon request to the CDBG Grant Administrator at (505) 891-5010 (for hearing impaired persons, please dial 711).

The City of Rio Rancho has adopted a Limited English Proficiency Plan to address the City's responsibilities as a recipient of federal financial assistance as they relate to the needs of individuals with limited English language skills. The plan has been prepared in accordance with

Title VI of the Civil Rights Act of 1964, 42 U.S.C. 2000d, et seq, and its implementing regulations, which state that no person shall be subjected to discrimination on the basis of race, color or national origin.

The City has conducted a Four-Factor Analysis to determine the City's language needs. The following items were taken into consideration when developing the City's LEP Plan:

Staff determined the number of LEP people served, or likely to be served who need language assistance to access services, using the following sources or other relevant information:

- Data from the U.S. Census American Community Survey (ACS) and other relevant Census Data;
- Resident population of foreign national origin (by language spoken) that number 5% or 1,000 require translation of vital documents.

The City staff reviewed the ACS 2011- 2015 5-year estimates Table B16001 and determined that within the City there are 2176 Spanish speakers that "speak English less than very well". Therefore vital documents will be translated into Spanish.

Language Assistance

A person who does not speak English as their primary language and who has a limited ability to read, write, speak or understand English may be a Limited English Proficient person and may be entitled to language assistance with respect to City services. Language assistance can include interpretation, which means oral or spoken transfer of a message from one language into another language and/or translation, which means the written transfer of a message from one language into another language. The City will arrange for interpretation for LEP persons upon request.

Based on ACS data, the City has determined that there is a need for Spanish translation in relation to vital documents and public meetings. A directory has been developed that lists employees that have been trained and certified to interpret in Spanish when needed, upon request. The City has also arranged telephonic and video interpretation through Language Line Solutions for sign language and languages other than Spanish when needed.

All standard Housing and Community Development documents will be on file in the offices of the City of Rio Rancho, Financial Services Department located at 3200 Civic Center Circle NE, Suite 300, Rio Rancho, New Mexico 87144-4501.

Copies of standard documents will be available for review at the following locations:

- Financial Services Department – 3200 Civic Center Circle, NE, Suite 300
- City of Rio Rancho City Clerk's Office – 3200 Civic Center Circle, NE, Suite 150
- City of Rio Rancho Website – www.rnm.gov/CDBG

- City of Rio Rancho Loma Colorado and Esther Bone Public Libraries
- City of Rio Rancho Meadowlark Senior Center

Additional single copies of all standard public documents may be obtained from the Financial Services Department at no charge.

The following standard public documents are available at the above mentioned locations during business hours:

- This Citizen Participation Plan
- Proposed and Final Consolidated Plans
- Proposed and Final Consolidated Action Plans
- Proposed and Final Substantial Amendments to an Annual Action or Consolidated Plan
- Proposed and Final Consolidated Annual Performance Reports (CAPER)
- The Assessment of Fair Housing (AFH)

These documents will be made available in Spanish upon request.

Public Hearings

Public hearings will be held at key stages of the process to obtain the public's view and to provide the public, to the greatest extent possible, with responses to their questions and comments. The City holds public hearings to obtain input on housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing consistent with the AFH, and a review of program performance.

To obtain the views of residents of the community on housing and community development needs, including priority non-housing community development needs and affirmatively furthering fair housing, the City of Rio Rancho will conduct one (1) public hearing prior to submission of the Consolidated Plan, to ensure participation in grant development and one (1) public hearing during the plan year. To gain the views of the community on AFH-related data and affirmatively furthering fair housing in the City's housing and community development programs, at least one (1) public hearing is held before the proposed AFH is published for comment. The Director of Financial Services, in consultation with staff, will establish the time and location of all public hearings and meetings concerning CPD entitlement funds received by the City.

Public hearings shall be held after adequate (14 days) notice at times and location convenient to potential or actual beneficiaries, and with accommodations for the disabled. At all public hearings, upon 48 hour advance request to the City of Rio Rancho Financial Services Division, a

Spanish interpreter will be available for those who do not speak or understand English and arrangements can be made for sign language interpretation for the hearing impaired. In the event a significant amount of non-English speaking residents are reasonably expected to participate, the City will take reasonable steps per the LEP Plan to provide language assistance to ensure meaningful access to participation by non-English-speaking residents of the community. City staff is available and willing to provide voluntary Spanish interpretation if needed, upon request. Other language interpretation if needed would be provided through Language Line Solutions with 24 hour advance notice, for which the City would pay a fee.

Citizen Participation During Emergency Events

In the event of a public health emergency or other emergency event requiring social distancing, the City has established expedited procedures to draft, propose, or amend the Consolidated Plan, the Annual Action Plan or solicit citizen participation. The City must submit a request for waiver to HUD no less than two (2) days prior to utilization of the requested waiver. Expedited procedures must include notice and reasonable opportunity to comment of no less than five (5) days. The 5-day period can run concurrently for comments on Action Plan amendments, Consolidated Plan amendments, and amended Citizen Participation Plans. In-person public hearings are not required. The City may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the City's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses. Instructions for participation in the virtual public meeting will be detailed in the public notice for the meeting. During times of a national disaster or pandemic such as COVID19, advertisements and public notices may be solely on the City's website.

Public comments received during the public comment period and at the virtual public meeting will be documented and held in file with the CDBG Grant Administrator and archived in the City of Rio Rancho City Clerk's Office. Notice of a public hearing scheduled under these circumstances must be posted on the City of Rio Rancho website no less than 72 hours prior to the hearing. Accommodations for disabilities and non-English speaking residents will be made with a 48-hour notice prior to the scheduled meeting.

Public Meetings

The City will provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR

part 8; the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, and Title VI of the Civil Rights Act of 1964, (24 CFR, Part 1), as applicable.

November – Notification to Public Service Agencies and citizens for submission of funding requests. Notice of funds available (NOFA) is advertised in public notices.

December – First Public Hearing on Consolidated Plan (performance review and citizens express their needs during plan development)

February/March – Public Hearing will be held for the AFH.

March – Draft of Consolidated Plan is made available to public and the 30 day review period begins

April – Public Hearing on Consolidated Plan and/or Action Plan (2nd Governing Body Meeting of month) and submission of the finalized AFH.

May – Submittal of Consolidated Plan and/or Annual Action Plan to HUD

September – Draft of Consolidated Annual Performance Evaluation Report (CAPER) is made available to public, a 15 day review period, and submittal to HUD

Meetings are subject to change, but all will be properly noticed in the local newspaper with actual dates and times in English and Spanish.

Development of the Consolidated Plan

Before the Consolidated Plan (and annual updates) is adopted by the Governing Body and submitted to HUD (i.e., mid-May), the City will make the plan available to citizens, public agencies, and other interested parties for review, and will also establish the means to submit comments. Before the jurisdiction adopts a consolidated plan, the jurisdiction will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

If displacement will occur due to any planned actions, the City will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, as described in 49 CFR Part 24.

The City will publish its draft and final Consolidated Plan (and annual updates) so that all affected residents will have sufficient opportunity to review and comment on the plan. A summary describing the contents and purpose of the Consolidated Plan will be published in one or more newspapers of general circulation in English and Spanish. The draft plan document will also be posted on the City's website in English and Spanish.

A period of not less than 30 calendar days will be provided to receive comments from residents of the community on the AFH.

Amendments to the Consolidated Plan / Annual Action Plan

From time-to-time, it may be necessary for the City to process a "Substantial Amendment" to the Five Year Consolidated Plan or the One Year Action Plans to allow for new CDBG funded activities; modification of existing activities; or other Community Planning and Development (CPD) program administrative actions.

Any proposed amendment that is considered a "Substantial Amendment" is subject to the Citizen Participation process, requires formal action by the Governing Body, and approved by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on the proposed substantial amendments. The City will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR 91.105 (c) (3). A summary of these comments and views, including comments or views not accepted (and the reason why) shall be attached to the substantial amendment.

For the purpose of this Citizen Participation Plan, amendments to the Consolidated Plan are divided into four categories: Substantial Amendments, Minor Amendments, One-Percent Amendments, and Emergency Amendments.

The City of Rio Rancho is required by HUD [24 CFR 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a "Substantial Amendment". The following criteria will be used by the City:

Substantial Amendments

1. Addition of a new activity or project not previously described in its Consolidated or Action Plan.
2. Deletion of an activity or project previously described in its Consolidated or Action Plan.
3. Change in the purpose, scope, location or beneficiaries of an activity or project previously described in its Consolidated or Action Plan.
4. Change in the use of CDBG funds from one eligible activity or project to another.

5. Change in an activity or project (previously described in its Consolidated or Action Plan).
6. Change in total dollar amount allocated or budgeted by more than \$25,000.

Substantial Amendments During Emergency Events

Disaster/Emergency events that may require expedited substantial amendments: It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared disaster or emergency. There are three types of disasters/emergency events that may necessitate an expedited substantial amendment including (1) Man-Made-disasters, (2) Natural disasters, and (3) Terrorism. Man-made disasters can include chemical spills, mass rioting, power outages, dam failure, plant explosions, etc. Natural disasters can include earthquakes, tsunamis, hurricanes, tornadoes, wild fires, flooding and public health issues such as wide-spread disease such as the recent coronavirus disease 2019 (COVID-19). Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution, etc. These expedited substantial amendments may include funding new activities and or reprogramming of funds including cancelling activities to meet needs resulting from a declared disaster or emergency. Therefore, the City of Rio Rancho may utilize CDBG, funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period which is otherwise required for substantial amendments. These amendments require the signature of the City of Rio Rancho Financial Services Department director or designated representative, adherence to state and local laws requiring contracts and procurement, and HUD waiver and/or approval, but do not require public notice of 30 days.

Minor Amendments

Minor amendments represent any changes to the Consolidated Plan or Action Plan that do not qualify as “substantial amendments”, and are more than 1 percent change in funding including correction of errors in the original plan. Minor amendments require the signature of the City of Rio Rancho Financial Services Department director or designated representative, but do not require public notice of 30 days or Governing Body approval.

One-Percent Amendments

A one-percent amendment represents any change in the funded amount of a project that is one-percent or less. These amendments require the signature of the City of Rio Rancho Financial Services Department director or designated representative, but do not require public notice of 30 days or Governing Body approval.

Consolidated Annual Performance Evaluation Report (CAPER)

The City is required to submit a CAPER for its CPD programs to HUD no later than 90 days from the end of a program year (i.e. late – September). In general, the CAPER describes how funds were actually spent and the extent to which these funds were used for activities that benefitted low and moderate income persons.

The City will publish notice that its CAPER is available for review so the public will have sufficient opportunity to review and comment on the report. The notice will be published in one or more local newspapers of general circulation in English and Spanish. There will be a 15 day public comment period prior to the submission of the CAPER to HUD. The City will consider any comments or views of citizens received in writing, or orally at public hearings, in preparing the CAPER. A summary of these comments or views will be attached to the final CAPER.

Assessment of Fair Housing

The City is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation. After August 17, 2015, the citizen participation plan will need to comply with new provisions of 24 CFR 91.105 to include requirements for the AFH process. As soon as feasible after the start of the public participation process the jurisdiction will make the HUD-provided data and any other supplemental information the jurisdiction plans to incorporate into its AFH available to its residents, public agencies, and other interested parties. The City may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website.

The City will publish the proposed AFH on the City's official government website, and as well at libraries, government offices, and public places throughout the City in English and Spanish, which allows its residents, public agencies, and other interested parties a reasonable opportunity to examine its content and to submit comments. A summary describing the document will be in one or more newspapers of general circulation and will contain the content and purpose of the AFH, and will include a list of the locations where copies of the entire proposed document may be examined. In addition, the City will provide a reasonable number of free copies of the AFH to residents and groups that request it.

A period of not less than 30 calendar days will be provided to receive comments from residents of the community on the AFH. The City will consider any comments or views of residents of the community received in writing, or orally at the public hearings, in preparing the final AFH. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AFH.

Revision to the AFH

The following criteria will be used for determining when revisions to the accepted AFH will be required:

- A material change occurs where circumstances in the City affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. This includes Presidentially declared disasters in the program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements, or court orders.
- Upon HUD's written notification specifying a material change that requires the revision.

The revision will consist of preparing and submitting amended analyses, assessments, priorities, and goals that take into account the material change, including any new fair housing issues and contributing factors that may arise as a result of the material change. If a revision is required, it will be submitted within 12 months of the onset of the material change, or at such later date as HUD may provide. In the case where the material change is the result of a Presidentially declared disaster, such time shall be automatically extended to the date that is 2 years after the date upon which the disaster declaration is made, and HUD may extend such deadline, upon request, for good cause shown.

Any revised AFH must be made public for a period of not less than 30 calendar days to receive comments from residents of the community on the revised AFH.

Anti-Displacement and Relocation

All of the City of Rio Rancho's Consolidated Plan activities are designed to eliminate (or minimize) the occurrence of displacement. Program guidelines and limitations are structured so that temporary displacement is unlikely.

Tenants in occupied rental properties are made aware of their rights with respect to displacement and relocation. Property owners are made aware of their rights and responsibilities: property owners must assume the financial responsibility for the displacement and relocation of their tenants.

If an involuntary displacement should occur, it is the City of Rio Rancho's policy to provide housing referral assistance and, if required, make relocation payments in accordance with local, state and federal law.

Complaints

Written complaints from City residents related to the Consolidated Plan, amendments, AFH, revisions, the Annual Action Plan and the CAPER will receive careful consideration and will be answered in a substantive written response within 15 business days (where practicable) to every written resident complaint.

Written complaints should be sent to the Director's Office at the following address: City of Rio Rancho Financial Services Department, 3200 Civic Center Circle NE Suite 300, Rio Rancho, New Mexico 87144-4501.