



**CITY OF PORTSMOUTH, NH
COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM**

CITIZEN PARTICIPATION PLAN

Including the

**RESIDENTIAL ANTI-DISPLACEMENT AND
RELOCATION PLAN**

Prepared by:
Portsmouth Community Development Department

Adopted by the Citizens Advisory Committee

2/13/95

REVISED 10/21/98

REVISED 2/6/02

REVISED 4/20/10

REVISED 1/15/13

REVISED 5/7/20

To request additional information or to comment on this plan, please contact Elise Annunziata, Community Development Coordinator, at 610-7281

Information about the Community Development Block Grant program can also be found at www.cityofportsmouth.com

CITIZEN PARTICIPATION PLAN

Introduction

The Citizen Participation Plan describes the procedures that will be followed to encourage the involvement of Portsmouth residents in the development of the Five-Year Consolidated Plan, the Annual Action Plan and the annual Community Development Block Grant application. This plan meets the requirements of the U.S. Department of Housing and Urban Development (HUD) for citizen participation (CFR Part 91.105).

The purpose of the Consolidated Plan is to document housing and community development needs and to describe the activities conducted to address these needs. The plan looks specifically at the needs of residents earning very low, low and moderate-incomes. A new Consolidated Plan is developed every five years. In interim years, an Annual Action plan is issued. The Consolidated Plan and the Annual Action Plan include the Community Development Block Grant application to HUD. The Analysis of Impediments to Fair Housing is also part of the Consolidated Plan.

The Community Development Block Grant (CDBG), which is provided to Portsmouth through HUD, is the primary funding source for the activities included in the Consolidated Plan and the Annual Action Plan. CDBG funds are provided to the City by HUD on an annual basis. The purpose of this grant program is to improve the urban environment and to primarily benefit individuals and families who earn very low, low and moderate-incomes. The Portsmouth Community Development Department is responsible for administering the CDBG program.

Below is a description of the primary documents for which citizen participation is sought. These documents are developed and submitted to HUD.

Consolidated Plan	This plan identifies priority community needs and a strategic plan for addressing these needs. This plan includes the Annual Action Plan and the Community Development Block Grant application
Annual Action Plan	This plan describes the activities that will be undertaken and how they will benefit very low, low and moderate-income residents for a particular year in accordance with the Consolidated Plan.
Community Development Block Grant (CDBG) application	The CDBG application describes the activities to be funded with the CDBG grant.
Analysis of Impediments to Fair Housing	This document is part of the Consolidated Plan and is to be adopted along with the Annual Action Plan. The document is to be updated every five years and outline actions to overcome impediments to fair housing

<p>Consolidated Annual Performance and Evaluation Report (CAPER)</p>	<p>The CAPER describes the progress made toward the goals identified in the Annual Action Plan and in the Consolidated Plan.</p>
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Citizens Advisory Committee

The Citizens Advisory Committee (CAC), first convened in 1975, is the advisory board and official citizen participation body for the Consolidated Plan and the CDBG Program. Membership openings are posted via the City Clerk’s web site. Applicants are interviewed by Community Development staff and the CAC Chairperson. New members are appointed by the Mayor. In selecting new members, an effort is made to ensure that the CAC has broad and diverse representation from within the community.

The CAC has the following responsibilities:

- a) To advise the Community Development staff on emerging community development needs.
- b) To facilitate the involvement and participation of Portsmouth residents in the CDBG program development process.
- c) To hold public forums and hearings on the proposed Consolidated Plan, Annual Action Plan and CDBG program activities.
- d) To formulate and recommend to the City Manager a proposed Consolidated Plan and CDBG program activities targeted to meet community needs.

Consolidated Planning Process and the CDBG Program

The CDBG fiscal year extends from July 1 through June 30 of the next calendar year. The planning process occurs primarily from December through April, however, planning activities may take place year round.

From December to April, the Community Development Department works with the CAC to develop the Consolidated Plan and the Annual Action Plan by identifying community needs and developing CDBG activities to meet these needs. Citizen input is specifically sought during this period; and includes input on the City’s Analysis of Impediments to Fair Housing.

The CAC recommends the proposed Consolidated Plan, Annual Action Plan and CDBG application to the City Manager for approval. Once approved, the application is submitted to HUD for their approval. CDBG activities are implemented and administered by the Community Development Department year round. HUD staff in Boston monitor and oversee overall grant implementation. Within three months of the end of the fiscal year, the City is required to submit a Consolidated Annual Performance and Evaluation Report (CAPER) to HUD, unless a waiver and/or deadline extension is granted by HUD.

***Public Hearings**

The CAC will hold, at a minimum, the following:

- a hearing* to receive input regarding community needs and potential activities to meet these needs;
- a hearing* to receive comments on the proposed Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing (AI) and CDBG application; and
- a hearing* to inform the public of progress on the activities funded.

Suggestions for future CDBG activities are welcome at any of these hearings or afterward in writing. In addition, the CAC shall hold additional meetings as appropriate to inform the public about CDBG activities.

*In the case of COVID-19 and any similar health pandemic or disaster, public hearings and meetings may be held by webinar or replaced with non-live presentations, which will allow for written comment for a period up to five (5) days following the webinar or non-live presentation. In accordance with state and federal regulations, the comment period on Consolidate Plan and Annual Action Plan, Substantial Amendment, AI, and progress and evaluation reports (CAPER) may be shortened to five (5) days and public notice of public hearing or meeting webinar or non-live presentation may be published between one (1) and two (2) days prior to the meeting, webinar or non-live presentation.

***Notification Requirements**

***Public Hearings**

Notification of these hearings will occur as follows:

- public notice will be given in one local newspaper;
- the notice will be published for one day; and
- the notice will be published between three to five days prior to the hearing.

Public hearings will be listed on the City's web page (www.cityofportsmouth.com). Notice of these hearings may also be posted at City Hall and the Public Library.

In addition, when an activity will specifically affect a neighborhood, special notice of the hearing may be given to residents of that neighborhood. Such notice shall consist of either notifying the neighborhood or tenants' organization, if one exists, or of mailing out fliers to residents to announce the meeting.

The hearings will be held at City Hall which is accessible to individuals with physical disabilities and centrally located.

***Public Meetings**

Regular public meetings of the CAC will be held at City Hall and, as appropriate, at neighborhood locations. Notice of these meetings will be made through postings at City Hall, Portsmouth City Library and/or on the City's web page as well as, when appropriate and feasible, mailings to the neighborhood(s) affected.

*In the case of COVID-19 and any similar health pandemic or disaster, public hearings and meetings may be held by webinar or replaced with non-live presentations, which will allow for written comment for a period up to five (5) days following the webinar or non-live presentation. In accordance with federal regulations, the comment period on Consolidate Plan and Annual Action Plan, Substantial Amendment, AI, and progress and evaluation reports (CAPER) may be shortened to five (5) days and public notice of public hearing or meeting webinar or non-live presentation may be published between one (1) and two (2) days prior to the meeting, webinar or non-live presentation.

Information Availability / Public Comment

The Consolidated Plan, the Annual Action Plan, the CDBG application, the Analysis of Impediments to Fair Housing and the CAPER will be available for public review at the Public Library and the Community Development Department and/or on the City’s website www.cityofportsmouth.com/community. In addition, a summary of the Consolidated Plan will be advertised in local media. The summary shall state the content and purpose of the plan and where copies of the entire plan may be reviewed. Any amendments to the Consolidated Plan, or revisions to the CAPER, will be filed at the Public Library and the Community Development Department and/or the City’s website www.cityofportsmouth.com/community.

*Public comment periods will be held to obtain public input as noted below.

Prior to . . .	Length of comment period
the submission of the Consolidated Plan, Annual Action Plan and CDBG application	thirty-days*
the submission of the CAPER	fifteen days*
the consideration of a substantial amendment at a public hearing	five days*

A public hearing shall also be held as part of each update to the City’s Analysis of Impediments to Fair Housing (AI), when required by HUD. On an annual basis, or as required by HUD, input will be solicited on the Analysis of Impediments to Fair Housing during the public input portions opportunities for the Consolidated Plan (of which it is a part), Annual Action Plan and CDBG application.

Agendas for Citizens Advisory Committee meetings and public hearings, as well as minutes for the meetings, are available on the City’s website.

*In the case of COVID-19 and any similar health pandemic or disaster, public hearings and meetings may be held by webinar or replaced with non-live presentations, which will allow for written comment for a period up to five (5) days following the webinar or non-live presentation. In accordance with federal regulations, the comment period on Consolidate Plan and Annual Action Plan, AI, and progress and evaluation reports (CAPER) may be shortened to five (5) days and public notice of webinar or non-live presentation may be published between one (1) and two (2) days prior to the meeting, webinar or non-live presentation.

Substantial Amendment

A substantial amendment to the Annual Action Plan shall be required whenever the City proposes:

- to increase the budget of an approved activity by more than 60% **; or
- to carry out a new activity goal or strategy not described in the Annual Action Plan.

The amendment process shall require public notice of the proposed substantial amendment through local media, a public comment period and a public hearing before the CAC. The public comment period and the public hearing will be advertised as described in the “Notification Requirements” section above.*

*In the case of COVID-19 and any similar health pandemic or disaster, public hearings and meetings may be held by webinar or replaced with non-live presentations, which will allow for written comment for a period up to five (5) days following the webinar or non-live presentation. In accordance with federal regulations, the comment period on Consolidate Plan and Annual Action Plan, Substantial Amendment, AI, and progress and evaluation reports (CAPER) may be shortened to five (5) days and public notice of webinar or non-live presentation may be published between one (1) and two (2) days prior to the meeting, webinar or non-live presentation.

**This protocol regarding increased budget for an approved activity shall be waived in the case of COVID-19 and any similar health pandemic or disaster; and instead the CAC shall make recommendations for activity’s increased funding to the City Manager who shall consider and approve a revised budget.

The meeting notice shall include a brief summary of the proposed substantial amendment as well as the name and number of a contact person. If the CAC recommends approval of the amendment, the revised Consolidated Plan or Annual Action Plan will be available for review at the Public Library and at the Community Development Department and/or on the City’s website www.cityofportsmouth.com/community.

Availability of Staff for Technical Assistance and Consultation

Upon request, Community Development Department staff will assist applicants to the CDBG competitive grant programs with their program applications. The nature and extent of such assistance will be at the discretion of the staff. In addition, staff are happy to discuss potential project ideas with residents to determine project eligibility.

Comments/Complaints

All written comments received from citizens regarding the Consolidated Plan, the Annual Action Plan, the Analysis of Impediments to Fair Housing, the CAPER and substantial amendments will receive a written or verbal response. The response will be made within 10 days of receipt of the letter.

Notice to Members of the Public Who are Hearing Impaired

Residents who are hearing impaired can make a request for assistance to the Human

Resource Director at 610-4478.

RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION PLAN

In recognition of the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA), of Section 104(d) of the Housing and Community Development Act of 1974, as amended, and HUD program regulations at 24 CFR Parts 570.457, 570.496(a)(c), 570.606(c) and 570.702(f), the City of Portsmouth adheres to the guidelines described in this Residential Anti-Displacement and Relocation Plan.

The purpose of this plan is to minimize the displacement of families and individuals from their homes and neighborhoods as a result of CDBG assisted activities. In support of this goal, the City will take all reasonable steps, consistent with the overall goals of the CDBG program, as provided in 24 CFR Parts 92 and 570, to minimize displacement.

The Residential Anti-Displacement and Relocation Plan requires that:

- 1) all occupied and vacant occupiable low or moderate-income dwelling units that are demolished or converted to a use other than low or moderate-income housing in connection with an activity assisted with CDBG funds be replaced with comparable low or moderate-income dwelling units. (Sec. 42.375 of the URA.)
- 2) displaced persons be provided relocation assistance through either the URA, as described in 49 CFR Part 24 which contains the government-wide regulations implementing the URA, or through Section 104(d) of the Housing and Community Development Act of 1974. (Section 42.350 of the URA.)

Additional information and guidance can be found in the Tenant Assistance, Relocation and Real Property Acquisition handbook available at the Community Development Department, Portsmouth City Hall, 1 Junkins Avenue, Portsmouth, NH.

Definitions

The following definitions are taken from the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (URA) and as described at 42 CFR.

Conversion means altering a housing unit so that it is a) used for non-housing purposes; b) used for housing purposes, but no longer meets the definition of low or moderate-income dwelling units; or c) used as a shelter.

A displaced person is any low or moderate-income income person who, in connection with a CDBG funded activity, permanently moves from real property or permanently moves their personal property from real property, as a direct result of the demolition or conversion of a low or moderate-income dwelling unit.

A low or moderate-income dwelling unit is a dwelling unit with a market rent (including average utility costs) that does not exceed the applicable Fair Market Rent

for Section 8 existing housing established under 24 CFR Part 888. However, the term does not include any unit that is owned and occupied by the same person before and after the assisted rehabilitation.

A permanent move includes a move made permanently, and 1) after notice by the grantee to move from the property following initial submission to HUD of the Consolidated Plan; 2) after notice by the property owner to move from the property, following the submission of a request for financial assistance by the property owner (or other person in control of the site) that is thereafter approved; or 3) before the dates described in this definition, if HUD or the grantee determine that the displacement was a direct result of conversion or demolition in connection with an activity subject to the subpart for which financial assistance has been requested and is thereafter approved.

A vacant occupiable dwelling unit means a unit that is in a standard condition; a unit that is in a substandard condition, but is suitable for rehabilitation; or a dwelling unit in any condition that has been occupied (by a person with the legal right to occupy the property) at any time within the period beginning one year before the date of the execution of the Agreement between the private owner and the City or between the PHA and the contractor.

A displacement is considered to have occurred “in connection with” a CDBG-assisted activity if such action, and the CDBG-assisted activity, are part of a single undertaking.