THE CITY OF EDINBURG
COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM
CITIZEN PARTICIPATION PLAN

The City of Edinburg is required by U.S. Department of Housing and Urban Development (HUD) regulations found at 24 CFR 91.105 to adopt a detailed Citizen Participation Plan (CPP). The CPP sets forth the City of Edinburg's policies and procedures for public involvement with respect to the Community Development Block Grant (CDBG) program. The City's CPP requires that local residents be given an opportunity to participate in determining the City's needs; to express preferences about proposed activities; to assist in the selection of priorities; and to participate in the development of the implementation and assessment of the following:

- Consolidated Plan (3-5 Year Plan)
- Annual Action Plan
- Consolidated Annual Performance and Evaluation Report (CAPER)

The requirements for citizen participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of the above mentioned documents, but rather facilitate citizen access to, and engagement with the CDBG program. The CPP must be available to the public. The City is also required to respond to complaints and inquires in a timely manner.

The focus of the CDBG program is the "development of viable communities by providing decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low and moderate income". Any activity undertaken with CDBG funds must meet at least one of the three national objectives: 1) principally must benefit low-income persons, 2) aid in the elimination or prevention of slum or blight, and/or 3) meet other development needs having a particular urgency. The City must certify to HUD that no less than 70% of the CDBG funds are used for activities which benefit low-income persons.

To effectively facilitate citizen participation, a Community Development Council (CDC), has been created by the City Council to advise on policy matters, resources allocation and the effectiveness of the CDBG Program. The CDC includes eleven (11) representatives that are appointed by City Council to represent the community that holds a primary residence within the City of Edinburg limits. All CDC hearings are open to the public and are held normally on the second (2^{nd}) Thursday of every month.

Pursuant to the City's desire for maximum citizen input into the planning of Community Development and to comply with the above stated requirements, the following "Citizen Participation Plan" has been developed:

1. A Community Development Council, advisory to the City Council of the City of Edinburg on all matters relating to Community Development, is created by Chapter 150.03 of the Code of Ordinances of the City of Edinburg. The Community Development Council includes eleven (11) resident representatives appointed by City Council to represent the community that holds a primary residence within the City of Edinburg limits.

2. Each meeting of the Community Development Council will be convened as an open meeting. Notices will be posted at Edinburg City Hall located at 415 West University Drive, Edinburg Housing Authority located at 910 S. Sugar Rd and the Dustin Michael Sekula Library located at 1906 S. Closner Blvd and/or published in the local newspaper. These notices will provide all necessary information about the meeting. The notices will be published at least (5) days and/or posted at least 72 hours prior to 12:01 a.m. of the day the meeting is to be held. Residents are encouraged either to attend regularly scheduled meetings of the Community Development Council (where all substantive matters relating to the planning and implementation of a proposed Annual Action Plan, Consolidated Plan (3-5 year plan), and any amendments are discussed) to discuss their feelings or concerns with CDC representatives on the Council. Residents shall be given an opportunity to participate at each meeting of the Community Development Council.

3. Each year a notice will be posted and/or published in the local newspaper advising residents that planning for the subsequent year's CDBG Program is underway. The advertisement of this notice is generally in January and/or posted online. The notice will also include other pertinent information such as: The amount of funds expected to be available, the types of activities expected to be undertaken, and other important program requirements.

   The laws and regulations require a minimum of two (2) public hearings in order to allow low-and moderate-income residents to actively participate in the Consolidated Plan/Annual Action Plan process. This process shall encourage participation by low- and moderate-income persons, particularly those persons living in areas designated as revitalization areas, and areas designated as slum and blighted area where CDBG funds are proposed to be used. Public hearings will be held by the Community Development Council to review program progress and performance. Public hearings will be held at places accessible, convenient and not intimidating to most people who might benefit from the use of funds. Whenever possible, public hearings will be held at or after 5:30 p.m., at a time convenient for most people. All public hearings will be held at locations accessible to people with disabilities, and

provisions will be made for people with disabilities when requests are made at least three (3) working days prior to the public hearing. An announcement will be posted on the City's web page, City Hall, Library, and Edinburg Housing Authority regarding a public hearing to be held by City Council to consider approval of the proposed Consolidated Plan and/or Annual Action Plan.

Upon approval the proposed Consolidated Plan and/or Annual Action Plan, the notice will be published/or posted at which time a thirty (30) day comment period shall be observed in order to gather resident input on the contents of the Plan. During the thirty (30) day comment period a public hearing will be held for public comment. The Final Consolidated Plan and/or Annual Action Plan will also be published in the newspaper and/or posted after its approval by the City Council. The Consolidated Plan and/or Annual Action Plan will be submitted to HUD by the due date August 15 of every year. Residents shall be encouraged through the publication and/or posting of this plan and/or assessment, through personal contacts by CDC representatives, by notices of public Hearings, through the media, and/or other available means to participate in the development of the Consolidated Plan and/or Annual Action Plan prior to its submission, particularly by stating their needs, expressing preferences in regards to proposed activities, examining the content of the documents, and assisting in the selection of priorities.

The City encourages the participation of minorities, people who do not speak English, homeless individuals and families, people with disabilities, local and regional institutions, the 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, amending, and implementing the above-mentioned documents.

The City encourages, in consultation with public housing agencies, the participation of residents of any public and assisted housing developments located within the City limits, in the process of developing and implementing the above-mentioned documents, along with other low-income residents of targeted revitalization areas in which the developments are located.

4. Technical assistance in understanding the various program requirements or any other substantive matter relating to the program is available by City staff.

In addition, all explanatory or technical material distributed to Community Development Council members or City Councilmembers, including the Final Consolidated Plan and/or Annual Action Plan as submitted to the U.S. Department of Housing and Urban Development, will be available at the City Offices, or to the general public at any of the meetings of these bodies.

5. The selection of local option activities as well as the development of subsequent amendments to the Community Development Program, including the reallocation of funds or the planning and implementation of new activities, will also be done according to the procedure previously described in Section 3.

6. Residents and organizations shall also be given the opportunity to assess and submit comments, whether received written or orally, on all aspects of the Edinburg Community Development Program through participation in the Community Development Council meetings, public hearings or City Council meetings. The City of Edinburg will consider resident comments whether received written or orally, and, if appropriate, modify its Proposed Consolidated Plan and/or Annual Action Plan.

   A summary of any comments or views, accepted or not accepted, and reasons why, shall be attached to the Final Consolidated Plan and/or Annual Action Plan.

7. Residents shall be advised, through the media or by posting of signs at various Community Development Project sites, to register their concerns and complaints at City Hall during office hours. Each complaint shall be investigated by the staff of the City and reasonable efforts shall be made to provide written responses within fifteen (15) working days.

8. Persons wishing to object to approval of the Final Consolidated Plan and/or Annual Action Plan by the U.S. Department of Housing and Urban Development (HUD) may make such objection known to the HUD Area Office H.F. Garcia Federal Building/U.S. Courthouse, 615 East Houston Street, Suite 347, San Antonio, Texas 78205. HUD will consider objections made only on the following grounds. The applicant's description of needs and objectives is plainly inconsistent with available facts and data; or the activities to be undertaken are plainly in appropriate to meeting the needs and objectives identified by the applicant; or the Final Consolidated Plan and/or Annual Action Plan does not comply with the requirements of the Community Development Block Grant Program. Such objections should include both an identification of the requirements not met and, in the case of objections made on the grounds that the description of needs and objectives is plainly inconsistent with significant, generally available facts and data upon which the person relies. HUD will consider objections submitted within 30 days of the publication of the Final Consolidated Plan and/or Annual Action Plan.

9. At each public hearing and/or meeting of the Community Development Council and City Council, an opportunity will be given for interested residents to make their input in Spanish, to have the Consolidated Plan and/or Annual Action Plan proposed activities, or any of the program requirements explained to them in Spanish.

Translators will be provided for non-English speaking residents when requests are made at least three (3) working days prior to a public hearing and/or meeting. All public notices referred in this "Plan" will be published and/or posted in both Spanish and English.

Most of the CDC Representatives are bilingual in English and Spanish. For residents desiring to discuss Community Development Block Grant Program issues with CDC Representative who is not bilingual, a City staff member will be available to translate.

Persons who require materials in a language other than English should contact the Community Development staff (956) 388-8206, 415 West University Drive, Edinburg, Texas 78539. The materials shall be provided in a format accessible to persons with disabilities upon request. Such formats may include, but are not limited to providing oral, Braille, electronic or large print versions of the plan to those visually impaired and delivering copies to those who are homebound.

As virtually every resident of Edinburg will be affected by Community Development activities to one extent or another, all local residents are encouraged to participate in the planning and implementation of Community Development activities.

Interested residents are encouraged to attend regular meetings of the Community Development Council normally held on the second Thursday of every month, public hearings of the Community Development Council and the City Council, or visit with CDC representatives.

10. As required by law, the City of Edinburg will provide the residents, public agencies, and other interested parties with reasonable and timely access to documents relating to the Consolidated Plan, Annual Action Plan, and use of funds under the programs covered by the Plan for the preceding five years.

11. Free copies of the Final Consolidated Plan and/or Annual Action Plan will be made available to residents and all interested parties as requested. All copies must be requested at the Community Development/Grants Management Office, 415 West University Drive, Edinburg, Texas or may be requested electronically via email at cdbgpubliccomments@cityofedinburg.com

SUBSTANTIAL and MINOR AMENDMENTS
Reference 91.105(c)(1); 91.105(c)(2)

Amendments to the *Consolidated Plan and Annual Action Plan*

Any of the following conditions will be considered justification for a Substantial Amendment to the Consolidated Plan and Annual Action Plan:

a. Any change in funding allocation priorities or a change in the method of distribution of funds in excess of $75,000.

b. In carrying out an activity, using funds from any program covered by the Consolidated Plan (including program income) but not previously described in the action plan.
c. Deletion of a current activity and/or creation of a new, proposed activity.
d. Reduction of more than 25% of the proposed beneficiaries, when the proposed number of beneficiaries is greater than 10.
e. Changing the purpose, scope, or location of an activity previously described.

Any of the following conditions will be considered justification for a Minor Amendment to the Consolidated Plan and Annual Action Plan:

a. Any changes to the Consolidated Plan and Action Plan that do not qualify as a "substantial amendment".
b. Any budget changes or reprogramming of funds under $75,000.
c. These changes may be technical, clerical or grammatical in nature.
d. Changes will be made administratively and will be incorporated into the City's CAPER within the last quarter of the fiscal year.
e. Such changes will not be posted/or published or be subject to a public participation process, nor will they require approval by the Community Development Council or City Council.

Amendments to the Citizen Participation Plan

Any of the following conditions will be considered justification for a Substantial Amendment to the Citizen Participation Plan:

a. A change in the definition of a Substantial Amendment for the Consolidated Plan or the Annual Action Plan
b. A change in the required public notification periods or public hearings
c. A change to the City's policies and procedures regarding citizen participation, when said change would no longer meet the original intent per 24 CFR Part 91.105
d. Any changes or updates to contact and access information
e. Any change to the means of outreach utilized
f. Any amendments to City policies referenced in this plan
g. Any changes that may be technical, clerical or grammatical in nature.
h. Clarification of terms used in this document

The Citizen Participation Plan can be changed only after the public has been notified of the intent to modify it, and only after the public has had 15 days (unless a federal waiver has been issued establishing an alternate period) to review and comment on proposed amendment. The City will consider comments by residents and other interested parties in writing. The City will follow the Substantial Amendment procedures with the exception of the comment period. The Citizen Participation Plan will be posted on the City's website at: https://cityofedinburg.com/departments/community_development_grant_management/public_noticies.php. Free copies of the Citizen Participation Plan will be made available to residents and all interested parties as requested. All copies must be requested at the Community Development/Grants Management Office, 415 West University Drive,

Edinburg, Texas or may be requested electronically via email at cdbgpubliccomments@cityofedinburg.com

Upon determination that a Substantial Amendment to the Consolidated Plan, Annual Action Plan and/or the Citizen Participation plan must be undertaken, the City shall complete the following procedures:

a. City staff shall initiate the convening of a Community Development Council (CDC) meeting through the CDC Chairman.
b. City staff shall duly post notice of said meeting at least 72 hours prior to the meeting and/or publish the same at least five (5) days prior to the day of the meeting.
c. The proposed amendment shall be considered by a quorum of the CDC and shall be passed by a majority vote of members present.
d. The proposed amendment shall be presented to City Council for consideration and approval during a Public Hearing. Notice of said hearing shall be duly posted and/or published at least seven (7) days prior to the hearing date.
f. After the public hearing is held, notice of the proposed amendment shall be posted and/or published, and a thirty-day (30) public comment period shall ensue. Amendments to the Citizen Participation Plan will allow for a 15-day public comment period.
g. The City shall consider any and all comments received (both oral and written) and attach them to the amendment upon submission to HUD.

Secondary Projects Process:

In an effort to effectuate the timely and proper expenditure of funds, the City may adopt a number of secondary projects as part of the Annual Action Plan. A secondary project shall be initiated in the event that a primary project meets unforeseen obstacles to timely implementation and expenditure of appropriated funds. Funding shall be reprogrammed from the primary project and redirected to the selected secondary project for initiation of the selected activity. The affected primary project may be left “open” in IDIS until such time as the project is ready to proceed. Funding for the primary project may be reprogrammed from existing closed projects that have a budget surplus, program income or new entitlement funding. Because all described secondary projects were formulated as part of the development of the City’s Annual Action Plan and all citizen participation and environmental requirements were met, the funding of a secondary project shall not be considered a substantial amendment to the City’s Plan.

At the discretion of the Director of Community Development/Grants Management, funds may be reprogrammed from existing completed projects that have a budget surplus to a current project requiring additional funding, provided that the project requiring additional funding has been previously described in the Annual Action Plan and the fund reprogramming does not exceed 20% of the City’s total entitlement. Reprogramming of funds in excess of 20% shall require CDC and City Council approval.

ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN
Reference 91.105(b)(1)

The City of Edinburg does not intend to undertake any activities funded by the U.S. Department of Housing and Urban Development (HUD) that would cause either temporary or permanent displacement of an individual or family. However, the City is required to have a Plan in place should such an event occur. *24 CFR 91.105(b)(1)*

The full Plan and its attachments are available at the Community Development/Grants Management Department, 415 West University Drive, Edinburg, Texas 78541.

The Plan contains three major components.

- **One-For-One Replacement of Low- and Moderate-Income Dwelling Units**

  All occupied and vacant occupiable low/moderate-income dwelling units that are demolished or converted to a use other than as low/moderate-income housing as a direct result of an activity assisted under the Section 104(d) of the Housing and Community Development Act of 1974, as amended, will be replaced with low- and moderate-income dwelling units within three years of commencement of the activity.

- **Relocation Assistance**

  The City will ensure that relocation assistance is provided as described in 24 CFR 570.606 to each low- to moderate-income person who is displaced by the demolition or by the conversion of a low/moderate income dwelling unit to another use as a direct result of a CDBG assisted activity. Relocation notices must be distributed to the affected persons in accordance with 49 CFR 24.203 of the URA. Such displaced persons may elect to receive either relocation assistance under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (URA), or the relocation assistance described at 24 CFR Part 42, Subpart C (General Relocation Requirements) and Subpart D (Payment for Moving and Related Expenses).

- **Steps to Minimize Displacement**

  The City will take the following steps to minimize the involuntary displacement of lower-income persons when CDBG funds are involved:

  A. All CDBG applications will be reviewed to determine whether involuntary displacement is likely to occur. Those applications involving displacement will receive a lower priority recommendation for funding unless it can be shown that alternatives are not available.

  B. Applicants who apply for CDBG funds to acquire property for the development of lower-income housing will be encouraged to purchase

vacant land or vacant dwellings.

C. In the case of in-fill and other projects where vacant land or vacant dwellings are not available and the project involves potential displacement, the applicant shall agree to allow the displaced lower- income person(s) to occupy the new housing at an affordable rent.

D. Applicants who utilize CDBG funds to rehabilitate or convert a lower-income unit to a non-residential use will be required to supply replacement housing as well as relocation assistance.

E. The cost of any required relocation assistance and the provision of replacement housing will be the responsibility of the applicant.

The City will also use the applicable HUD Brochures to inform residents/businesses of their rights under the ACT. These Brochures include:

- **When a Public Agency Acquires Your Property** (HUD-1041-CPD)
- **Relocation Assistance to Tenants Displaced from their Homes** (HUD-1042-CPD)
- **Relocation Assistance to Displaced Businesses, Nonprofit Organizations, and Farms** (HUD-1043-CPD)
- **Relocation Assistance to Displaced Homeowners** (HUD-1044-CPD)
- **Relocation Assistance to Tenants Displaced from Their Homes (Section 104(d))** (HUD-1365-CPD)

PERFORMANCE REPORTS
Reference 91.105(d)(1)

As required, the City must prepare a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year to the U.S. Department of Housing and Urban Development (HUD). In general, the CAPER must describe how funds were actually used and the extent to which these funds were used for activities to benefit low- and moderate-income people. The City will report accomplishments, goals, and expenditures in a format required by HUD.

There must be reasonable notice that the CAPER is available so that residents will have an opportunity to review and comment on it. Notice will be made with the following procedures specifically for the CAPER:

1. A public notice will be published/posted of the City's intent to submit the CAPER to HUD.
2. The public notice will be posted at City Hall, Library, and Edinburg Housing Authority, and/or published in the local newspaper.
3. The public will be provided a period of no less than fifteen (15) days to submit

comments on the CAPER.

4. There will be a public hearing regarding the CAPER during the 15 day comment period.
5. A summary of the CAPER will be made available to the public at no cost within three (3) written days of the request. Copies and/or summaries will be available at City Hall and library.
6. In preparing the CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing. The CAPER sent to HUD will have a section that presents all comments and explains why any comments were not accepted.

WRITTEN RESPONSES TO CONSOLIDATED PLAN, AMENDMENT & PERFOMANCE REPORT COMPLAINTS
Reference 91.105(j)

The City shall provide a written, substantive response to all complaints received from residents within fifteen (15) working from receipt of the complaint.

DECLARATION OF A DISASTER/EMERGENCY EVENTS

It may be necessary to expedite substantial amendments to the Consolidated Plan and/or Annual Action 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, plant explosions, etc. Natural disasters can include earthquakes, tsunamis, hurricanes, tornadoes, wild fires, flooding and public health issues, such as wide-spread disease known as the coronavirus (COVID-19). Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution, etc.

An expedited substantial amendment may include funding new activities and/or the reprogramming of funds, including canceling activities to meet needs resulting from a declared disaster or emergency. Therefore, the City 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.

With respect to a declared disaster, the City may elect to use CDBG funds to address needs not provided for by the Federal Emergency Management Agency (FEMA) and the Small Business Administration (SBA), or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal or local sources unless allowed by the federal government. Potential eligible uses of funds are those that are included in this Citizen Participation Plan, the Consolidated Plan, or any other CDBG eligible use.

In the event that HUD provides new guidance or additional information on eligible uses and/or requirements the City will comply. All eligible CDBG activities, including those to address declared disasters or emergencies, must meet one of three national objectives which are: (1) Benefit to low- and moderate-income (LMI) persons; (2) Aid in the prevention of slums or blight; and (3) Meet a need having a particular urgency (referred to urgent need). The City may carry out eligible CDBG activities to meet needs resulting from declared disasters or emergencies under any one of the three national objectives.

When a Declaration of Emergency/Disaster has been ordered by the President of the United States, the Governor of Texas, or local government, the City of Edinburg will follow the process concerning public hearings, meetings and public display of plans as follows:

1. If the City is unable to hold open public hearings or meetings in person, the City will be allowed to instead hold virtual public hearings or meetings through conference calls, email or an online video conference call platform, as long as the public is able to provide public comments during the virtual public hearing or meeting.

2. If the City is not able to place the plans on public display at the location referenced in the Citizen Participation Plan, the City will place the plan(s) on the City's website: https://cityofedinburg.com/departments/community_development_grant_management/public_noticies.php and will also email or mail copies of the plan(s) to any person who requests a copy of the plan(s) upon request.

3. If the City Council is unable to conduct an open public forum meeting, the City will approve the plan(s) at a City Council meeting through a virtual platform due to the Disaster/Emergency Declaration.

Revised November 15, 1984
Revised June 19, 1997
Revised October 11, 2001 (see attachment)
Revised December 15, 2010
Revised December 1, 2015
Revised November 1, 2016
Revised June 28, 2018
Revised May 19, 2020
Revised April 19, 2022