



CITY OF BECKLEY

409 South Kanawha Street
Beckley, WV 25801

CITIZEN PARTICIPATION PLAN

*In Accordance with the HUD Guidelines for the
Community Development Block Grant Program.*

Amended: May 26, 2020

City of Beckley, WV





CITIZEN PARTICIPATION PLAN FOR THE CITY OF BECKLEY, WEST VIRGINIA COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

SECTION I – GENERAL:

This Citizen Participation Plan is prepared in compliance with 24 CFR Part 91.105, *Citizen Participation Plan, Local Governments*. This Citizen Participation Plan sets forth the City of Beckley's policies and procedures for citizen participation by encouraging citizens to participate in the development of the City's Five Year Consolidated Plan and Annual Action Plans, any amendments to these plans, applications for Section 108 Loan Guarantees, and the Consolidated Annual Performance and Evaluation Report (CAPER) and all other programs, if applicable.

SECTION II – STANDARDS OF PARTICIPATION & GOALS FOR PARTICIPATION:

The Standards of Participation and Goals for Citizen Participation in the City of Beckley, West Virginia, are as follows:

- A.** All aspects of the Community Development Block Grant (CDBG) Program and all other programs, if applicable, shall be conducted in an open manner with freedom of access for all interested persons, groups and/or organizations.
- B.** To the greatest extent possible, there shall be involvement of: (1) low- and moderate-income persons, especially those living in slum and blighted areas; (2) people living in areas where CDBG funds are proposed to be used; (3) residents of predominantly low- and moderate-income neighborhoods; (4) members of minority groups; (5) residents of comprehensive neighborhood revitalization areas; (6) the elderly; (7) persons with disabilities; and (8) all persons directly or indirectly impacted or affected by the Community Development Block Grant Program, and Section 108 Loan Guarantee Program and/or all other programs, if applicable.
- C.** Public Hearings shall be held in areas occupied by and accessible to low- and moderate-income individuals. In addition, the City of Beckley's Grant Administrator will speak to any group about the City's Community Development Block Grant Program, its past performance and its proposed or future activities.
- D.** There shall be, to the greatest extent possible, and throughout all stages of planning and development of the CDBG Program, Section 108 Loan



Guarantee Program and all other programs, if applicable, a continuity of participation by citizen representatives.

- E.** Citizens shall be provided, to the greatest extent possible, with timely and adequate information for the purpose of meaningful input into the CDBG Program and Section 108 Loan Guarantee Program and all other programs, if applicable.
- F.** Low- and moderate-income persons, residents of slum and blighted neighborhoods, residents of predominantly low- and moderate-income neighborhoods; members of minority groups; residents of neighborhood revitalization strategy areas (NRSAs); the elderly; persons with disabilities; and all persons directly or indirectly impacted or affected by the Community Development Block Grant Program and Section 108 Loan Guarantee Program and all other programs, if applicable, shall be encouraged to submit their views and proposals regarding the these programs.
- G.** Advisory groups that may be established for advice and input into the CDBG program shall have an adequate representation of low- and moderate-income persons, members of minority groups, and persons directly affected by the CDBG program activities.
- H.** Consultation will be made, in conjunction with the Beckley Housing Authority, the participation of residents of public housing and assisted housing developments, and residents of areas within which developments are proposed during the process of developing and implementing the Five Year Consolidated Plan and One Year Annual Action Plans.
- I.** The City of Beckley shall provide information to the Beckley Housing Authority about consolidated plan activities related to the Housing Authority's developments and surrounding communities so that the Housing Authority can make this information available in its annual Public Housing Comprehensive Grant Program.

SECTION III – SCOPE OF PARTICIPATION:

A. Application Development:

Prior to the submission of the Five Year Consolidated Plan, Annual Action Plan, any application for CDBG funds, application for Section 108 Loan Guarantee funds, and any other funds, if applicable, and prior to the submission of an application amendment, the City of Beckley, in addition to meeting the minimum requirements, shall provide the following for public comment:



1. application requirements;
2. eligibility of project activities;
3. time table for submission;
4. funding amounts of CDBG funds and CDBG program income;
5. range of activities that may be undertaken with available funds;
6. estimated amount of benefit to persons of low- and moderate income; and
7. any other information necessary to involve citizens in the development of plans and applications

Information provided to the public will be in conformance with Section II above. Furthermore, prior to the development of an annual application for CDBG funds, the progress of the City's Community Development Block Grant Program will be made available to the public at meetings, public hearings and through the local news media.

B. Program Implementation:

Citizen involvement may take the form of advisory committees, direct involvement, self-help efforts or other types of citizen participation during program implementation. The Consolidated Annual Performance and Evaluation Report (CAPER) of the City of Beckley will be submitted to the Mayor and then made available to the general public for the purpose of reviewing the accomplishments of the City's CDBG and other programs, as applicable.

The roles that citizens of the area will play in the implementation of the CDBG program are as follows:

1. "direct involvement and self-help" in project development and implementation
2. "continued advisory role" via call-ins, write-ins, and group meetings with organized and recognized groups.

C. Monitoring Evaluation:

Opportunities for citizens to monitor and evaluate the CDBG program shall be consistent and continuous. Methods available to further these objectives are as follows:

1. direct contact with staff
2. direct contact between staff and groups
3. direct contact between citizens, the Mayor and governing body



D. Submission of Views and Proposals:

The submission of views and proposals from low- and moderate-income persons, minority groups, and any other persons or organized groups can be on a continuous basis and shall be encouraged to the greatest extent possible. Submissions can be in the form of:

1. personal contact;
2. mail, email, and telephone contact;
3. petitions;
4. attendance at public meetings/hearings;
5. through questionnaires and surveys; and
6. other available means

The submission of views and proposals shall be an on-going process and at a minimum during the following stages:

1. the planning process
2. the annual HUD application process
3. the implementation process

Responses to all submissions shall be in a timely fashion and shall not exceed a period of fifteen (15) days after the voicing of a comment, or the date of receipt of a written comment or inquiry.

E. Complaints:

All complaints regarding any aspect of the Community Development Block Grant Program, Section 108 Loan Guarantee Program, and all other programs, if applicable, shall be provided in a timely manner and a written response will be provided within fifteen (15) working days after the voicing of a complaint or the date that the written comment was received by the City.

F. Technical Assistance:

The Grant Administrator of the City of Beckley shall provide technical assistance to groups/organizations which are representative of persons of low- and moderate-income that request such assistance in developing proposals for funding assistance under any of the programs covered by the City's Consolidated Plan.

The City's staff will assist these groups to prepare their proposals and will provide assistance in preparing cost estimates for projects proposed by low- and moderate-income groups.



G. Adequate Information:

The City shall provide full public access to the CDBG program information and affirmative efforts to provide adequate information to citizens, especially those who are low- and moderate-income, and those who are residing in predominantly low- and moderate-income neighborhoods or slum and blighted neighborhoods. Information shall be provided on the Community Development Block Grant Program, Section 108 Loan Guarantee Program, and all other programs, if applicable, including at a minimum the following:

1. At the time when the City begins its Community Development Block Grant Program, Section 108 Loan planning process, and any other programs, if applicable, including:
 - a. total amount of funds available, including program income;
 - b. the range of activities that are eligible or ineligible, including the estimated amount that will benefit persons who are low- and moderate-income;
 - c. plans to minimize displacement and to assist any persons displaced, specifying the types and levels of assistance the City will make available to persons displaced, even if the City anticipates no displacement. The Five Year Consolidated Plan must state when and how the City will make this information available;
 - d. the process that will be followed in developing and approving the projects or programs;
 - e. the standards of participation and goals of the Citizen Participation Program; and
 - f. summary of important program requirements
2. Upon request, copies of all materials relating to the Community Development Block Grant Program and all other programs, if applicable, will be made available to any person and/or group for the cost of copying only, particularly documentation concerning the following:
 - a. all mailing, promotional material and news releases;
 - b. key documents, including all prior applications, letters of approval, performance and program evaluation reports, and any other applications, proposed or approved, or reports required by HUD;
 - c. copies of the CDBG regulations;
 - d. information on contracting and purchasing procedures, environmental policies, fair housing, equal opportunity,



relocation provisions, the 24 CFR Part 58 environmental review process, affirmative action and any other requirements or regulations relating to the CDBG program; and

- e. cost of copying will be as established by local and state laws.

H. Meetings:

All meetings shall be held in a timely fashion and shall be accessible to all segments of the City's population including accommodations for persons with disabilities. These meetings shall be held at a time and place that is convenient and accessible to potential or actual beneficiaries.

1. Public meetings/hearings shall be held on a continuous basis, at least two (2) times per year at different stages of the program year for the purpose of obtaining citizen views on the development of needs, the review of proposed activities, and review of program performance. At least one (1) public hearing must be held during the planning process in the development of the plans and before the development of the plans before the proposed Five Year Consolidated Plan, Annual Action Plan, Section 108 Loan Guarantee Application and all other program applications, if applicable, are published for comments.
2. Public meeting/hearing notices shall be published at least ten (10) calendar days prior to the hearing date and shall be advertised in the local newspaper of general circulation in the area.

I. Public Notice:

1. A notice will be published in the local newspaper of general circulation in the City that the proposed Five Year Consolidated Plan and Annual Action Plans will be on public display for a period of not less than thirty (30) days in order to receive citizen comments prior to approval by the governing body.
2. Copies of the proposed plans will be available at the following:
 - a. City of Beckley – City Hall
409 South Kanawha Street, Beckley, WV 25801
 - b. Raleigh County Public Library
221 North Kanawha Street, Beckley, WV 25801
 - c. On the website at <http://www.beckley.org/>
3. Included in the Plans will be an Executive Summary of the proposed plan which describes the contents, purpose, and a list of the locations where copies of the entire proposed Five Year Consolidated Plan and Annual Action Plans may be examined. In



addition, a reasonable number of free copies of these Plans will be made available to citizens or groups that request it.

4. The City of Beckley will consider any comments or views of citizens received in writing or orally at the public meetings/hearings in preparing the final Five Year Consolidated Plan and Annual Action Plans. A summary of all comments, including those comments not accepted and the reason therefore, shall be attached to the final Five Year Consolidated Plan and Annual Action Plans.
5. Final copies of the Five Year Consolidated Plan and Annual Action Plans will be available for public inspection at the following locations:
 - a. City of Beckley – City Hall
409 South Kanawha Street, Beckley, WV 25801
 - b. Raleigh County Public Library
221 North Kanawha Street, Beckley, WV 25801
 - c. On the website at <http://www.beckley.org/>
6. The Grant Administrator will mail/distribute notices for public meetings/hearings to all City departments, City council members, libraries, local churches and organizations, and will be posted at City Hall and in the office of the Grant Administrator.

J. Continuing Activities:

All continuing activities shall be subject to the citizen participation process as herein outlined.

K. Copies of Substantial Amendments to the Five Year Consolidated Plan, Annual Action Plans and Consolidated Annual Performance Evaluation Reports:

Copies of the above will be available for reading upon request at the offices of the City of Beckley's Grant Administrator, the Raleigh County Public Library, and via the website at <http://www.beckley.org/>.

L. Access to Records:

The City shall provide full and timely disclosures of its program records. The City will provide these disclosures within a reasonable period of time. Additionally, all public and non-private records and documentation concerning the Community Development Block Grant Program and all other applicable programs shall be made available by appointment during the hours of 9:00 AM to 4:00 PM, Monday through Friday. Personnel records, and the personal financial records of program participants/applicants, are not available for public inspection.



M. Substantial Amendments to the Five Year Consolidated Plan and Annual Action Plans:

1. Definition:

A substantial amendment to the Five Year Consolidated Plan and Annual Action Plans is:

- a. A change in the allocation of priorities, National Objectives, or a change in the method of distribution of funds;
- b. A proposal to undertake a new activity, using funds from any program covered by the Five Year Consolidated Plan (including program income received from previous year's funds), and not previously described in the Annual Action Plan;
- c. A change in the purpose, scope, location or beneficiaries of a previously approved activity;
- d. The use of Program Income that was not previously allocated to an eligible activity, based on the following criteria;
- e. Deletion or elimination of a previously approved activity;
- f. A change of 50% or more of the line item amount of an approved activity, either increased or decreased; or
- g. The use of contingency or unprogrammed funds.

2. Criteria:

The criteria used to determine what constitutes an amendment are based on the following:

- a. **Purpose** - the original purpose for which the activity was selected has changed, including the category of the National Objective selected.
- b. **Scope** – the size or scope of work of the project activity has increased or decreased which changes the cost of the activity by more than 50% of the total original budgeted dollar amount for that activity.
- c. **Location** - the location of the project activity is different from that originally proposed, or the size of the project service area has increased or decreased by 25% in size, or the location of the activity had to be relocated to another area.
- d. **Beneficiaries** - the number of beneficiaries has been reduced by 25% or more, and/or the activity no longer serves at least 51% low- and moderate-income persons.



- e. **Cost** – the total cost of the activity has increased or decreased by 50% or more than the original budget amount.
- f. **New Activity** – a new activity is proposed which was not previously approved.
- g. **Deleted or Canceled Activity** – a previously approved activity is proposed to be deleted/canceled from the approved plan.

If any one of the above criteria applies, then a substantial amendment to a project activity has occurred.

3. Procedure:

A description of the substantial amendment to the Five Year Consolidated Plan or the Annual Action Plan will be published in the local newspaper of general circulation. A period of no less than thirty (30) days will be provided to receive citizen comments prior to the approval of the amendment. The date, time, and place of the public meeting/hearing shall be listed.

- a. The City will consider any comments or views of citizens received in writing or orally at the public hearing, in preparing the substantial amendment of the Five Year Consolidated Plan or Annual Action Plans. A summary of any comments or views, as well as a summary of any comments or views not accepted and reasons therefore, shall be attached to the substantial amendment of the Five Year Consolidated Plan and Annual Action Plan.
- b. The substantial amendment will be presented to the City of Beckley's City Council after the public meeting for review and approval of the substantial amendment.
- c. The substantial amendment must be presented to and approved by the Mayor of the City of Beckley.
- d. The City shall submit to HUD a description of the adopted substantial amendment. A letter transmitting such description shall be submitted by the City of Beckley's Grant Administrator and signed by the Mayor.

N. Emergency Activities:

During the course of implementation of the CDBG program, if the City makes an emergency declaration as a result of a situation or condition that has arisen through no fault of the City, immediate action or remediation may be taken. If CDBG funds are not available to resolve or remediate that situation or condition, the City may proceed with corrective action during the 30 day comment period. The City must publish a notice



concurrently, in the newspaper of general circulation in the area, and allow citizens to respond to the expenditure of CDBG funds during the 30 day comment period.

O. Consolidated Annual Performance and Evaluation Report (CAPER):

A notice will be published in the local newspaper of general circulation in the area informing the public of the availability of the City's CDBG Consolidated Annual Performance and Evaluation Report (CAPER) and providing the opportunity to comment on the CAPER. A period of no less than fifteen (15) calendar days from the date of publication shall be provided to receive citizen comments prior to adoption by the City Council of the City of Beckley.

The City will consider any comments or views of citizens, received in writing or orally, concerning its Consolidated Annual Performance and Evaluation Report. A summary of these comments or views shall be attached to the CAPER.

P. Non-English Speaking Residents:

The City of Beckley's Grant Administrator will need to be notified at least three (3) days in advance of a public meeting/hearing that accommodations are needed, including non-English speaking residents, so that arrangements can be made to accommodate the resident, including a translator, at the public hearing/meeting. Also, a summary of the minutes of the hearing will be transcribed, when requested, for the benefit of non-English speaking persons.

Q. Declaration of an Emergency:

When a Declaration of an Emergency has been ordered by the President of the United States, or the Governor of West Virginia, and regulatory flexibility is permitted by HUD, the City of Beckley will follow the following process concerning public hearings and public display of plans when necessary for public health reasons. These emergency procedures will apply to Consolidated Plan/Annual Action Plan Amendments and initial plan submissions, as permitted through a regulatory waiver authority or programmatic flexibility:

- If the City is unable to hold open public hearings in person, the City will be allowed instead, to hold virtual public hearings through conference calls or an online video conference call platform, as long as the public is able to provide comments during the virtual public hearing.
- If the City is not able to physically place the plans on public display at the locations referenced in the Citizen



Participation Plan, the City will put the plans on the City's website (<https://beckley.org/>) and will also email copies of the plans to any person who requests a copy of the plans via an email request.

- If the City Council is unable to conduct an open public forum type meeting, the City is allowed to approve the plans at a virtual City Council Meeting, since an in-person Council Meeting will not be held because of the Declaration of an Emergency.
- HUD has waived the public comment period for substantial amendments to the Consolidated Plan/Annual Action Plan from thirty (30) to five (5) days.
- HUD has waived the public comment period for the FY 2020 Consolidated Plan/Annual Action Plan submission from thirty (30) to five (5) days.
- All other requirements relative to the City's Citizen Participation Plan for Consolidated Plans remain in effect, including the consultation requirements, as required by 24 CFR 91.105.

R. Citizens Comment on the Citizens Participation Plan:

The City of Beckley will provide citizens with the opportunity to comment on this Citizen Participation Plan. Copies of this proposed Citizen Participation Plan will be available at the City of Beckley City Hall, Raleigh County Public Library, and on the website at <http://www.beckley.org/>. A public notice will be published in the local newspaper of general circulation in the City for a period of fifteen (15) calendar days prior to the adoption of the Citizens Participation Plan by the City of Beckley in order for citizens to comment on the plan. Copies of the Citizens Participation Plan will be made available upon request, in a format accessible to persons with disabilities. Substantial amendments to this plan will follow the same procedure as the adoption of the original plan.

THIS CITIZEN PARTICIPATION PLAN WAS ADOPTED BY THE CITY OF BECKLEY, AT ITS REGULARLY SCHEDULED MEETING HELD ON THE 26TH DAY OF MAY, 2020.

CITY OF BECKLEY, WV

Bill O'Brien, Mayor