

Community Development Block Grant Program
Citizen Participation Plan
SUBSTANTIAL AMENDMENT
FY 2019-2020



May 26, 2020



Contact:
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THE CDBG SUBSTANTIAL AMENDMENT

Jurisdiction(s): <u>City of Harlingen</u>	CDBG Contact Person: Sandee Woellhof
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A. CDBG INFORMATION BY ACTIVITY (COMPLETE FOR EACH ITEM)

YEAR 2019-2020

(1) Amendment Item: Revisions to Citizen Participation Plan

(2) Narrative:

Due to the Coronavirus Pandemic (COVID-19) the U.S. Department of Housing and Urban Development Community Development Block Grant issued waivers relating to the public comment periods, notification processes and other matters relating to the implementation of the CDBG program during the pandemic.

As such, the Citizen Participation Plan must be amended to include language to incorporate process to be followed during a pandemic or other modification or waivers issued by the government.

All additions are indicated in underlined pink font.

(3) Responsible Organization: City of Harlingen

B. PUBLIC COMMENT

The Community Development Advisory Board held a public hearing regarding the Substantial Amendments during a meeting on May 26th, 2020, at 5:30 p.m. Notice of our intended amendment was posted on our web site prior to the above stated meeting in addition to being posted at various public locations, and published in the Valley Morning Star. Another public hearing was held before the City Commission on June 3rd, 2020, whereas no one was in attendance to speak for or against the Substantial Amendment.

CITIZEN PARTICIPATION PLAN FOR THE CITY OF HARLINGEN, TEXAS

INTRODUCTION

The City of Harlingen is required by law (24 CFR Part 91.105) to have a detailed Citizen Participation Plan (CPP) which contains the City's policies and procedures for public involvement in the Consolidated Plan process; when preparing an assessment of fair housing (AFH), and the use of Community Development Block Grant (CDBG), Home Investment Partnerships (HOME), Emergency Shelter Grant (ESG) and Housing Opportunities for Persons with Aids (HOPWA) money. This Citizen Participation Plan must be available to the public.

ENCOURAGING PUBLIC PARTICIPATION

The law requires that our Citizen Participation Plan both provide for and encourage public participation, in the development of the AFH, any revisions to the AFH, the consolidated plan, any substantial amendments to the consolidated plan or annual action plan, and the annual performance report.

The following are encouraged to participate in the development of documents aforementioned:

- ✓ Low and moderate income people, especially those living in low and moderate income neighborhoods, particularly those persons living in areas designated as a revitalization area or in a slum and blighted area where CDBG funds are proposed to be used.
- ✓ Minorities, people who do not speak English, homeless individuals and families, and people with disabilities is encouraged. Citizens are encouraged to participate Summaries of basic information about CDBG and HOME, the Consolidated Planning process; and AFH are to be made available in English and Spanish (when requested)
- ✓ Local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community based and faith based organizations)
- ✓ Local public housing agencies and residents of public housing (including any resident advisory boards, resident councils, and resident management corporations)

THE ROLE OF LOW INCOME PEOPLE

The law declares that the primary purpose of the programs covered by this Citizen Participation Plan is to improve communities by providing: decent housing, a suitable living environment, and growing economic opportunities-all principally for low and moderate income people.

The amount of federal CDBG money Harlingen receives each year is mostly based upon the severity of both poverty and substandard housing conditions in Harlingen therefore, it is necessary that public participation genuinely involve low income residents who experience these conditions. Genuine involvement by low income people must take place at all stages of the process.

STAGES

In general, the stages or events include:

- ✓ Identification of housing and community development needs.
- ✓ Preparation of a draft use of funds for the upcoming year, called the proposed Annual Action Plan. Sometimes there might also be the development of a proposed Consolidated Plan or the development of the Assessment of Fair Housing, and any amendments.
- ✓ Formal approval by elected officials of a final Annual Action Plan or Consolidated Plan.
- ✓ On occasion during the year, it might be necessary to change the use of the money already budgeted in an Annual Action Plan, or to change the priorities established in the Consolidated Plan. In that case, a formal Substantial Amendment will be proposed, considered, and acted upon after a "program year" is complete, an Annual Performance Report must be drafted for public review and comment, and then submitted to HUD.

THE PROGRAM YEAR

The "program year" chosen by Harlingen is October 1 through September 30.

PUBLIC NOTICE

There shall be 5 days advance public notice (unless there is natural disaster, pandemic, or other event where not less than 72 hours shall be provided) for the development and any revisions to the AFH; proposed Annual Action Plan or Consolidated Plan; any proposed Substantial Amendment to the Action Plan or Consolidated Plan; and the Annual Performance Report to give the public adequate notice.

FORMS OF PUBLIC NOTICE

- ✓ Public notices will be published in a paper of general circulation such as the Valley Morning Star. However, in order to reach the majority of the City's

population, specifically the low to moderate income population, the City may also advertise in the Bargain Book.

- ✓ Notices will be sent to any person or organization requesting to be on a mailing list.
- ✓ Notice may also be sent to neighborhood organizations, public housing authority developments, radio and television media, and other persons or groups as deemed appropriate by the Community Development Department.
- ✓ Notice may be posted on the internet through social media and on the City's web page.
- ✓ Notice may be posting at public libraries, government offices, and public places.

PUBLIC ACCESS TO INFORMATION

The City will provide citizens/residents, public agencies, and other interested parties with reasonable and timely access to the documents relating to the Consolidated Plan, and the use of assistance under the programs covered by the Plan for the preceding five years, as well as related to the AFH and its revisions.

For non English speaking citizens/residents, reasonable steps to provide language assistance to ensure meaningful access will be provided. Those speaking Spanish will be assisted by staff, board members, and officials whom are proficient in the Spanish language. Persons speaking another language.

Persons requiring materials in a language other than English should contact the Community Development Staff at (956) 216-5180, 502 E. Tyler, Harlingen, TX 78550.

Standard documents include:

- ✓ The proposed and final Annual Action Plan.
- ✓ The proposed and final Consolidated Plan.
- ✓ Proposed and final Substantial Amendments to either an Annual Action plan or the Consolidated Plan.
- ✓ Annual Performance Reports. (CAPER)
- ✓ Assessment of Fair Housing (AFH)
- ✓ Amendments or revisions to the AFH
- ✓ The Citizen Participation Plan

AVAILABILITY OF STANDARD DOCUMENTS

In the spirit of encouraging public participation, copies of standard documents will be made available for office review. Summaries of standard documents will be provided to the public at no cost. These materials will be made available in a form accessible to persons with disabilities and to persons who do not speak English, whenever requested.

PLACES WHERE STANDARD DOCUMENTS ARE AVAILABLE

Standard documents will be available at the office of the Community Development Department located at 502 E. Tyler, Harlingen, TX.

PUBLIC HEARINGS

Public hearings are required by law in order to obtain the public's views and to provide the public with the City's responses to public questions and proposals.

Whenever possible, public hearings will be held at or after 5:30 p.m., a time convenient to most people who might benefit from the use of funds.

Public hearings will be held at places accessible, convenient and not intimidating to most people who might benefit from the use of funds. Locations may include the public library, Lon C. Hill Building Conference Room, Townhall, Public Housing Authority Developments, Schools, and other appropriate locations. When there are concerns about the significant public health risks that may result from holding in person public hearings, virtual public hearings and CDAB meetings may be held. A Public Comment Form will be made available on the City's Web Site and the comments will be read into the Minutes of the meeting.

Public Hearings and Populations with Unique Needs

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 a meeting.

Translators will be provided for people who do not speak English when requests are made at least three (3) working days prior to a meeting. These services shall be provided at no charge to the public.

The Conduct of Public Hearings

To ensure that public hearings are meaningful to citizens/residents, each citizen/resident choosing to speak will be allowed ~~five minutes to make a verbal presentation.~~ to do so after providing their name and address during the allotted time by the CDAB.

STAGES IN THE PROCESS

Identifying Needs

Housing and community development needs of low and moderate income people are so great and so diverse therefore, priorities must be set in order to decide which needs should get more attention and more resources than other needs. This is the basic reason the Consolidated Plan exists.

The laws and regulations require at least one (1) public hearing each year to obtain residents' opinions about needs, and what priority those needs have. If time permits, public hearings will be held in different neighborhoods to determine the specific needs and priorities identified by low and moderate income people. At a minimum, two (2) public hearing will be held in order to allow citizens to actively participate in the community development process (Annual Action Plan and the CAPER).

Public hearings about needs will be completed 30 days (unless a federal waiver has been issued establishing an alternate period) before a draft Annual Action Plan/Consolidated Plan is published for comment, so that the needs identified can be considered by the City and addressed in the draft Annual Action Plan or Consolidated Plan.

Assessment of Fair Housing

At, or as soon as feasible after the start of the public participation process, HUD provided data and any other supplemental information will be made available to its citizens/residents, public agencies, and other interested parties. The HUD-provided data available to the public by cross-referencing to the data on HUD's Web site.

The “Proposed” Annual Action Plan or Consolidated Plan

The law providing the funds covered by this Citizen Participation Plan calls for improved accountability of jurisdictions to the public. In that spirit and in compliance with the terms of the law, Harlingen will use the following procedures.

At the beginning of this stage, the City of Harlingen will provide the public with an estimate of the amount of CDBG, HOME, ESG, and HOPWA funds it expects to receive in the upcoming year, along with a description of the range of types of activities that can be funded with these resources. Also, the public will be given an estimate of the amount of these funds that will be used in ways that will benefit low and moderate income people.

The plans of the City of Harlingen to minimize the extent to which low and moderate income people will have to leave their homes as a result of the use of these federal dollars (called “displacement”) will also be available at this time. This “anti-displacement plan” will also describe how Harlingen will compensate people who are actually displaced as a result of the use of these funds, specifying the type and amount of compensation.

The following steps represent the process (provided a federal waiver has not been issued):

1. Development of the Assessment of Fair Housing
 - a. Publish & Post notice.
 - b. There shall be a 30 day comment period (unless a federal waiver has been issued establishing an alternate period) before final approval by the City Commission.
 - c. There shall be a public hearing before the Community Development Advisory Board during the 30 day unless a federal waiver has been issued establishing an alternate period) comment period.
 - d. Send to HUD for final approval.
2. Consolidated Plan/Annual Action Plan
 - a. Publish & Post Notice of Funding Availability.

- b. A public hearing about the proposed Consolidated Plan/Annual Action Plan will be conducted by the City Commission at least 30 days (unless a federal waiver has been issued establishing an alternate period) before final approval allowing for additional comments.
 - c. There shall be a public hearing before the Community Development Advisory Board during the comment period before final approval by the City Commission.
 - d. Send to HUD for final approval.
3. Substantial Amendments
 - a. Publish & Post notice.
 - b. There shall be a 30 day unless a federal waiver has been issued establishing an alternate period comment period.
 - c. There shall be a public hearing before the Community Development Advisory Board during the comment period followed by a public hearing before the City Commission.
 - d. Send to HUD for final approval.
 4. Consolidated Annual Performance & Evaluation Report (CAPER).
 - a. Publish & Post notice.
 - b. Hold public hearing
 - c. There shall be a 15 day unless a federal waiver has been issued establishing an alternate period comment period.
 - d. Submit to HUD for approval.

Technical Assistance

City staff will work with organizations and individuals representative of low and moderate income people who are interested in submitting an application to obtain funding for an activity. All potential applicants for funding are encouraged to contact City staff for technical assistance before completing an application/proposal for funding.

Availability of a Proposed Annual Action Plan, Consolidated Plan, CAPER and AFH

Copies of the proposed Annual Action Plan/ Consolidated Plan will be made available to the public free of charge and without delay. In addition, copies will be available for viewing at the locations specified above in the section, "Public Access to Information."

So that low and moderate income people can determine the degree to which they might be affected, they will be provided with a summary of the Proposed Annual Action Plan, Consolidated Plan, and AFH at least 30 days (if a federal waiver has not been issued) prior to the date of final approval of the Annual Plan/Consolidated Plan by the Harlingen City Commission. Information available will consist of: HUD-required sections, the HUD-required Priorities Table, and a written description of all proposed uses of CDBG, HOME, ESG, AND HOPWA funds; and AFH HUD provided data. At a minimum, description shall include the type of activity, location and the amount of federal money to be allocated.

This requirement may be satisfied by distributing summaries of the Annual Action Plan/ Consolidated Plan, and AFH, along with information as to where complete copies may be reviewed.

Public Hearing and Further Action

A public hearing about the Proposed Annual Action Plan/Consolidated Plan will be conducted by the Mayor and City Commission at least 30 days [\(unless a federal waiver has been issued establishing an alternate period\)](#) -before the Plan becomes final thereby allowing for further public comments.

In preparing a final Annual Action Plan, Consolidated Plan, or AFH, a 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 during the review and comment period. The Final Annual Action Plan/Consolidated Plan, and AFH will have a section that presents all comments and explains why any comments were not accepted.

The “Final” Annual Action Plan, Consolidated Plan, AFH, and CAPER

Copies of the Final Annual Action Plan/ Consolidated Plan, AFH, and summary of it will be made available to the public free of charge and within three (3) working days of a request. In addition, copies will be available at the locations specified above in the section, “Public Access to Information.”

“Amendments” to the Annual Action Plan (and/or the Consolidated Plan)

The Final Annual Action Plan/Consolidated Plan will be amended any time there is:

1. a change in one of the Priorities presented on the HUD-required Priority Table;
2. creation or deletion of activity;
3. a change in the purpose, location, scope, or beneficiaries of an activity (described more fully later).
4. A material change in the AFH HUD provided data which effect established priorities and goals. The public will be given 30 days [\(unless a federal waiver has been issued establishing an alternate period\)](#) to comment on any revision/amendment to the AFH before submission to HUD for approval.

Public notification requirements will be followed for substantial amendments to the Annual Action Plan/Consolidated Plan and AFH.

Substantial Amendments

The following will be considered “substantial” amendments:

1. A change in the use of CDBG money from one activity to another of \$50,000.00 or more.
2. A change in the use of HOME money from one activity to another of \$50,000.00 or more.
3. The addition of an activity not originally described in the Annual Action Plan.
4. Elimination of an activity originally included in the Annual Action Plan
5. A change in the purpose of an activity (such as changing a construction project from residential to commercial).
6. A significant change in the location of an activity.

7. A decrease of 20% or more in the number of low and moderate income beneficiaries.

Public Notice and Public Hearing for Substantial Amendments

There must be reasonable notice of a proposed Substantial Amendment so that residents will have an opportunity to review and comment on it. Notice will be made according to the procedures described earlier in the Citizen Participation Plan, with the addition of the following procedures specifically for Substantial Amendments:

1. A detailed written description of the proposed Substantial Amendment will be made available to the public at no cost within three (3) working days of a request for same. Copies will also be available at the locations indicated earlier in this Citizen Participation Plan under "Public Access to Information."
2. There will be a public hearing before the Community Development Advisory Board (CDAB) regarding the proposed Substantial Amendment, followed by a public hearing before the City Commission. The public hearing before the City Commission will not take place until such time that the public has had 30 days (unless a federal waiver has been issued establishing an alternate period) to review the proposed Substantial Amendment.
3. In preparing a Final Substantial Amendment, 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 during the review and comment period. The Final Substantial Amendment will have a section that presents all comments and explains why any comments were not accepted.
4. The amendment will be forwarded to HUD upon final approval by the City Commission.

The Annual Performance Report

Every year, Harlingen must prepare an Annual Performance Report within 90 days of the close of the program year (CAPER). 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.

Public Notice and Public Hearing for Annual Performance Report

There must be reasonable notice that an Annual Performance Report is available so that residents will have an opportunity to review it and comment on it. Notice will be made according to the procedures described earlier in this Citizen Participation Plan, with the addition of the following procedures specifically for Annual Performance Report:

1. A period of no less than fifteen (15) days unless a federal waiver has been issued establishing an alternate period, to receive comments on the Annual Performance Report will be provided to the public.
2. A summary of the Annual Performance Report 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 the locations indicated earlier in this Citizen Participation Plan.
3. There will be a public hearing regarding the Annual Performance Report.

4. In preparing a 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.

Contents of the Annual Performance Report

The CAPER presented to the public will have an accounting for each activity during the program year for which the report is applicable. The City will report accomplishments, goals, and expenditures in a format required by HUD.

COMPLAINT PROCEDURES

Written complaints from the public will receive a meaningful, written reply within fifteen (15) working days. Copies of the complaints and responses will be forwarded to HUD.

CHANGING THE CITIZEN PARTICIPATION PLAN

This 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 amendments.

THE COMMUNITY DEVELOPMENT ADVISORY BOARD

Harlingen has created a Community Development Advisory Board (CDAB) in the spirit of the law, which calls for increased accountability to the public, as well as the encouragement of active participation by low and moderate income people.

The CDAB is a twelve (12) member body that contributes to public participation by helping to: identify housing and community development needs; establish priorities relating to those needs; propose activities and projects to address high-priority needs; and, suggest the amount of federal, state, and local monies to be allocated to those activities.

Harlingen has formulated a plan for achieving maximum participation from its citizens.

The City has been divided into four (4) quadrants. Each quadrant will be represented by two (2) CDAB members. The term of office for each CDAB member shall correspond with that of the respective Mayor, or City Commissioner who made the appointment.

The CDAB will select one (1) member to serve as the Community Development Advisory Board Chairman. A quorum will be a majority of appointed members.

All CDAB public hearings are open to the public and are advertised as described above in the "Public Notice" section of this Citizen Participation Plan. The CDAB, as an advisory board, will recommend eligible projects to the Mayor and City Commission on the allocation of all CDBG, HOME, ESG, and HOPWA funds, including "program income" associated with these, monies left unspent and unobligated from the previous program year, and any additional (not previously anticipated) federal fund allotments. In no event shall CDBG, HOME, ESG, or

HOPWA funds be allocated without review by the CDAB as the forum to obtain citizen participation. Final approval shall rest solely with the City Commission and/or HUD.

GLOSSARY – DEFINITION OF TERMS

AP – Action Plan

AAP – Annual Action Plan (same as AP)

AFH – Assessment of Fair Housing

APR – Annual Performance Report (same as CAPER)

**CAPER – Consolidated Annual Performance and Evaluation Report
(same as APR)**

CPP – Citizen Participation Plan

CDAB – Community Development Advisory Board

CDBG – Community Development Block Grant

HOME – Home Investment Partnerships Program

HOPWA – Housing Opportunities for Persons with Aids

ESG – Emergency Shelter Grant Program

HUD – Department of Housing and Urban Development

Citizen Participation Plan:

Community Development Advisory Approval: ~~June 30, 2016~~ May 26, 2020

City Commission approval: ~~August 3, 2016~~ June 3, 2020

CERTIFICATIONS

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing --The jurisdiction will affirmatively further fair housing.

Uniform Relocation Act and Anti-displacement and Relocation Plan -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

Anti-Lobbying --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with plan --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

Section 3 -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

Signature of Authorized Official Date

Title

Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

Citizen Participation -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

Following a Plan -- It is following a current consolidated plan that has been approved by HUD.

Use of Funds -- It has complied with the following criteria:

1. **Maximum Feasible Priority.** With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. **Overall Benefit.** The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) _____ [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. **Special Assessments.** It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and

2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

Compliance with Anti-discrimination laws -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

Lead-Based Paint -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

Compliance with Laws -- It will comply with applicable laws.

Signature of Authorized Official

Date

Title

OPTIONAL Community Development Block Grant Certification

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

Signature of Authorized Official Date

Title

Specific HOME Certifications

The HOME participating jurisdiction certifies that:

Tenant Based Rental Assistance -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

Eligible Activities and Costs -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

Subsidy layering -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

Signature of Authorized Official

Date

Title

Emergency Solutions Grants Certifications

The Emergency Solutions Grants Program recipient certifies that:

Major rehabilitation/conversion/renovation – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

Essential Services and Operating Costs – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

Renovation – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

Supportive Services – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for these individuals.

Matching Funds – The recipient will obtain matching amounts required under 24 CFR 576.201.

Confidentiality – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

Homeless Persons Involvement – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

Consolidated Plan – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

Discharge Policy – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

Signature of Authorized Official

Date

Title

Housing Opportunities for Persons With AIDS Certifications

The HOPWA grantee certifies that:

Activities -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

Building -- Any building or structure assisted under that program shall be operated for the purpose specified in the consolidated plan:

1. For a period of not less than 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For a period of not less than 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

Signature of Authorized Official

Date

Title

APPENDIX TO CERTIFICATIONS

INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:

Lobbying Certification

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.



**COMMUNITY DEVELOPMENT ADVISORY BOARD
NOTICE OF MEETING
VIA VIDEO CONFERENCE**



NOTICE is hereby given that the Community Development Advisory Board of the City of Harlingen's Community Development Block Grant Program will hold a REGULAR MEETING/PUBLIC HEARING on Tuesday, May 26, 2020, at 3:30 p.m. via videoconference.

In accordance with the order of the Office of the Governor issued March 16, 2020, the City of Harlingen, Texas will conduct the meeting via video conference and provide viewing for the public via Zoom Meetings in order to advance the public health goal of limiting face-to-face meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). To view the meeting live, go to <https://zoom.us/j/93040388824>. The meeting ID is: 930 4038 8824 or via One tap mobile at +13462487799,,93040388824#.

The public will be permitted to participate in items listed as public hearings telephonically as provided by the agenda and as permitted by the presiding officer during the meeting. Written comments may also be submitted for City Staff to read aloud during the meeting.

To participate in scheduled public hearings telephonically, go to http://myharlingen.us/page/cdbg_form and click on "Public Hearing and Citizen Communication Form". Fill out the form and indicate the item on the agenda that you wish to address, and submit the form.

Please indicate (1) the agenda item on which you wish to speak, (2) whether you prefer to speak on the item during the meeting at the time the agenda item is brought for consideration before the Board, and (3) your contact information so we may "unmute" you during the meeting to present your comments. Submit the form before 2:00 p.m. on the day of the meeting.

Should you just want to submit written comments for City Staff to read aloud during the meeting, go to http://myharlingen.us/page/cdbg_form and click on "Public Hearing and Citizen Communication Form". Fill out the form and indicate the item on the agenda that you wish to address, and submit the form.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Open Meetings Act.

Accommodations for individuals with handicaps/disabilities or limited English proficiency shall be assisted upon request by calling (956)216-5180 or TTY 1-800-735-2989 at least 3 days prior to the meeting date and time.

The City of Harlingen does not discriminate on the basis of race, color, religion, sex, handicap, familial status, national origin or any other protected class.

The Community Development Advisory Board (CDAB) may not deliberate or make any decision about an unposted issue at a meeting. If an unposted item is raised by members or the general public, the CDAB has four options. First, an official may respond with a statement of specific factual information or recite the governmental body's existing policy on that issue. Second, an official may direct the person making the inquiry to visit with staff about the issue. Third, the governing body may offer to place the item on the agenda for discussion at a future meeting. Finally, the governing body may offer to post the matter as an emergency item if it meets the criteria for an emergency posting as per the Texas Open Meetings Act.

AGENDA

1. **Roll Call**
2. **Disclosure of Conflicts of Interest**
3. **Public Hearing** to obtain comments on the proposed substantial amendment regarding the City of Harlingen's request to the U.S. Department of Housing and Urban Development to allow a one year extension to the City's 5 Year Consolidated Plan for the period of 2015-2019. This amendment consists of extending the end date from 2020 to 2021.
 - a. Public Hearing
 - b. Consider and take action to approve the amendment of the one year extension to the City's Consolidated Plan and forward to the Mayor and City Commission for final approval.
4. **Public Hearing** to receive citizens comments on the proposed substantial amendments as follows:
 - a. To reallocate funds from Program Year 44 (2018-2019) in the amount of \$134,082 from the Housing Rehabilitation Program to Vestal Park Improvements (an existing activity) for the completion of the soccer field lighting project.
 - b. To reallocate funds from Program Year 44 (2018-2019) in the amount of \$17,722 from the Clearance and Demolition activity to Vestal Park Improvements (an existing activity) for the completion of the soccer field lighting project.
 - c. To reallocate funds from Program Year 45 (2019-2020) in the amount of \$57,050 from the Clearance and Demolition activity to Public Facilities- Street Improvements (Los Vecinos Area)-an existing activity.
 - d. Consider and take action to approve of the aforementioned amendments and forward to the Mayor and City Commission for final approval.
5. **Public Hearing** to obtain comments on amending the City of Harlingen's 2015-2019 Consolidated Plan and One Year Action Plan (2019-2020) to include the special allocation of \$552,136 in CDBG-CV funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to prevent, prepare for, and respond to the Coronavirus (COVID-19).
 - a. Public Hearing
 - b. Consider and take action to approve the amendment to the 2015-2019 Consolidated Plan and the 2019-2020 One Year Action Plan to include the CDBG-CV and forward to the Mayor and City Commission for final approval.
6. **Public Hearing** to obtain comments on the proposed amendments to the Citizen Participation Plan.
 - a. Public Hearing
 - b. Consider and take action to approve the amendments to the Citizen Participation Plan and forward to the Mayor and City Commission for final approval.
7. **Public Hearing** to receive citizens comments regarding funding priorities for the 2020-2021 One Year Action Plan.
8. **Consider and Take Action** to establish funding recommendations to be presented to the City Commission for final approval for the 46th Year of C.D.B.G. and the 26th Year of the HOME programs (2020-2021)
9. **Approval of Minutes** – January 23, 2020
10. **Approval of Board Member Attendance**

Accommodations for individuals with handicaps/disabilities or limited English proficiency shall be made upon request by calling (956) 216-5180. Los alojamientos para individuos con desventajas/incapacidades o pericia inglesa limitada serán hechos sobre la petición llamando (956) 216-5180.

Dan Serna, City Manager
City of Harlingen



Posted this 22nd day of May, 2020, at 3:00 a.m. p.m.

BY: Gabriel Gonzalez
Gabriel Gonzalez, Assistant City Manager



PUBLISHED AND POSTED NOTICE

PUBLIC HEARING NOTICE

This notice is intended to provide general information to the public on the City of Harlingen's request to amend the City's 5 Year Consolidated Plan and/or One Year Action Plan for the following:

1. A request to the U.S. Department of Housing and Urban Development to allow a one year extension to the City's 5 Year Consolidated Plan for the period of 2015-2019. This amendment consists of extending the ending date from 2020 to 2021.
2. To amend the 2018-2019 One Year Action Plan to:
 - a. To reallocate funds from Program Year 44 (2018-2019) in the amount of \$134,082 from the Housing Rehabilitation Program to Vestal Park Improvements (an existing activity) for the completion of the soccer field lighting project.
 - b. To reallocate funds from Program Year 44 (2018-2019) in the amount of \$17,722 from the Clearance and Demolition activity to Vestal Park Improvements (an existing activity) for the completion of the soccer field lighting project.
3. To amend the 2019-2020 One Year Action Plan to:
 - a. To reallocate funds from Program Year 45 (2019-2020) in the amount of \$57,050 from the Clearance and Demolition activity to Public Facilities-Street Improvements (Los Vecinos Area)-an existing activity.
4. To amend the City of Harlingen's 2015-2019 Consolidated Plan and One Year Action Plan (2019-2020) to include the special allocation of \$552,136 in CDBG-CV funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) to prevent, prepare for, and respond to the Coronavirus (COVID-19).
5. To amend the Citizen Participation Plan to include language to incorporate process to be followed during a pandemic or other modification or waivers issued by the government.

The amendments can be publically viewed on our web site at www.myharlingen.us or during regular business hours at the Community Development Department, 502 E. Tyler, Harlingen, Texas.

The City of Harlingen must provide for and encourage public participation, emphasizing involvement by low and moderate income people-especially those living in low and moderate income neighborhoods. Therefore, the Community Development Advisory Board (CDAB) will hold a virtual public hearing **on May 26, 2020, at 5:30 p.m.** to hear comments on the proposed Amendments during a public hearing **via Zoom**. This meeting will be held in accordance with Texas Government Code Sec. 551.127 as modified by order of Governor Greg Abbott. The public may view the meeting by joining the **Zoom Meeting at <https://zoom.us/j/93040388824>**. The meeting ID: 930 4038 8824 or via One tap mobile at +13462487799,,93040388824#.

To provide public comments, members of the public may fill out a Public Hearing and Citizen Comment Form available at http://myharlingen.us/page/cdbg_form. Please submit your comments on the Public Comment form provided on our website no later than 2:00 p.m. on the day of the meeting to be read aloud during the CDAB meeting. Submit the form via our website or email to housingharlingen@myharlingen.us. You may also call the office at (956) 216-5180 to provide comments. Another public hearing will be held before the City Commission on June 3, 2020, at 5:30 p.m. via videoconference, while providing the public the ability to view the meeting via internet live streaming at www.myharlingen.us. Public Comments will be received from May 22, 2020, until June 5, 2020.

Accommodations for individuals with handicaps/disabilities or limited English proficiency shall be assisted upon request by calling (956)216-5180 or TTY 1-800-735-2989 at least 3 days prior to the meeting date and time.

The City of Harlingen does not discriminate on the basis of race, color, religion, sex, handicap, familial status, national origin or any other protected class.

AVISO DE AUDIENCIA PUBLICA

Este aviso tiene por objeto proporcionar información general al público sobre la solicitud de la Ciudad de Harlingen de enmendar el Plan consolidado de 5 años de la Ciudad y / o el Plan de acción de un año para lo siguiente:

1. Una solicitud al Departamento de Vivienda y Desarrollo Urbano de EE. UU. Para permitir una extensión de un año al Plan Consolidado de 5 años de la Ciudad para el periodo 2015-2019. Esta enmienda consiste en extender la fecha de finalización de 2020 a 2021
2. Modificar el Plan de acción de un año 2018-2019 para:
 - a. Para reasignar fondos del Programa Año 44 (2018-2019) por un monto de \$ 134,082 del Programa de Rehabilitación de Vivienda para Mejoras del Parque Vestal (una actividad existente) para la finalización del proyecto de iluminación del campo de fútbol. si.
 - b. Para reasignar fondos del Programa Año 44 (2018-2019) por un monto de \$ 17,722 de la actividad de Despacho y Demolición a Mejoras del Parque Vestal (una actividad existente) para la finalización del proyecto de iluminación del campo de fútbol.
3. Modificar el Plan de Acción de un año 2019-2020 para:
 - a. Para reasignar fondos del Programa Año 45 (2019-2020) por un monto de \$ 57,050 de la actividad de Despacho y Demolición a Instalaciones Públicas - Mejoras de la calle (Área de Los Vecinos) - una actividad existente.
4. Enmendar el Plan Consolidado 2015-2019 de la Ciudad de Harlingen y el Plan de Acción de Un Año (2019-2020) para incluir la asignación especial de \$ 552,136 en fondos CDBG-CV autorizados por la Ley de Ayuda, Alivio y Seguridad Económica Coronavirus (Ley CARES) para prevenir, prepararse y responder al Coronavirus (COVID-19).
5. Enmendar el Plan de Participación Ciudadana para incluir lenguaje para incorporar el proceso a seguir durante una pandemia u otra modificación o exención emitida por el gobierno.

Las enmiendas se pueden ver públicamente en nuestro sitio web en www.myharlingen.us o durante el horario comercial habitual en el Departamento de Desarrollo de la Comunidad, 502 E. Tyler, Harlingen, Texas.

La ciudad de Harlingen debe prever y fomentar la participación pública, haciendo hincapié en la participación de personas de ingresos bajos y moderados, especialmente aquellos que viven en vecindarios de ingresos bajos y moderados. Por lo tanto, la Junta Asesora de Desarrollo Comunitario (CDAB) celebrará una audiencia pública virtual el **26 de mayo de 2020 a las 5:30 p.m.** escuchar comentarios sobre las Enmiendas propuestas durante una audiencia pública a través de **Zoom**. Esta junta se llevará a cabo de conformidad con el Código del Gobierno de Texas Sec. 551.127 modificado por orden del gobernador Greg Abbott. El público puede ver la junta a través de la transmisión en vivo por Internet en <https://zoom.us/j/93040388824>. El ID de la junta: 930 4038 8824 o vía One tap mobile en + 13462487799,, 93040388824#.

Para proporcionar comentarios públicos, los miembros del público pueden completar un Formulario de Audiencia Pública y Comentarios de Ciudadanos disponible en http://myharlingen.us/page/cdbg_form. Envíe sus comentarios en el formulario de comentarios públicos proporcionado en nuestro sitio web a más tardar a las 2:00 p.m. el día de la junta para leer en voz alta durante la junta de CDAB. Envíe el formulario a través de nuestro sitio web o envíe un correo electrónico a housingharlingen@myharlingen.us. También puede llamar a la oficina al (956) 216-5180 para proporcionar comentarios. Otra audiencia pública se llevará a cabo ante la Comisión de la Ciudad el 3 de junio de 2020 a las 5:30 p.m. mediante videoconferencia, al tiempo que ofrece al público la posibilidad de ver la junta a través de la transmisión en vivo por Internet en www.myharlingen.us. Los comentarios públicos se recibirán desde el 22 de mayo de 2020 hasta el 5 de junio de 2020.

Las adaptaciones para personas con discapacidades / discapacidad o dominio limitado del inglés se asistirán a solicitud llamando al (956)216-5180 o TTY 1-800-735-2989 al menos 3 días antes de la fecha y hora de la junta.