

**Portland's Citizen Participation Plan for the  
Community Development Block Grant (CDBG) Process:  
Compliance for Greater Equity and Efficiency**

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## 1. Executive Summary

As a U.S. Department of Housing and Urban Development (HUD) entitlement community, the City of Portland, Maine receives the Community Development Block Grant (CDBG), HOME, and Emergency Solutions Grant (ESG). These grants are primarily meant to benefit low to moderate income persons in the community, and are subject to a variety of federal rules and regulations, one of which is that Portland must create and implement a Citizen Participation Plan for its programs. This plan functions to ensure that the program funding process and information is available to the public, and especially that all information and opportunities for participation and comment are accessible by disabled individuals or those with limited English proficiency (LEP). The plan is also supposed to articulate strategies for outreach and engagement and the provision of technical assistance.

Such attention to the citizen participation process is both normative and instrumental; it is necessary for empowering the beneficiaries of the program in the decision-making process, making it more democratic and equitable, while also reaping the benefits of having direct input by beneficiaries for the most efficient and effectual use of funds, directing them where they are most needed.

An examination of Portland's Citizen Participation Plan reveals the following regulatory deficiencies:

- The plan does not state whether copies and/or summaries of the Consolidated Annual Action Plan are available in other public locations, besides City Hall, such as libraries.
- Citizen participation processes for the Consolidated Annual Performance and Evaluation Report (CAPER) are not explained in the same way as they are for the Annual Action plan, and it is unclear if comment periods, public hearings, and response to citizen comment are also followed for the CAPER.
- While the Portland plan states that the City holds a minimum of two public hearings each year to obtain citizen input and comments, the staging of those meetings is not clear.
- There is currently no standard amount of time before the public hearing that the notice is published in the newspaper.
- The Plan does not indicate whether public hearings are held at times and locations convenient for those low to moderate income persons to whom the program is targeted.
- The encouragement of participation by local and regional institutions and organizations is not noted.
- The plan mentions in several areas that it is City policy to make reasonable accommodations for disabled individuals and provide translation, but it does not indicate how a citizen might make these requests or that those citizens are encouraged to participate.
- Contact information for the deaf or hard of hearing is not noted.

In order to improve the plan document and the citizen participation process itself for greater regulatory compliance, equity, and efficiency, Portland should:

- 1) Restructure and update information in the Citizen Participation Plan document, through the use of tables, explaining the composition and function of the Allocation Committee and Priority Task Force, including City TTY contact information, and describing public meeting locations
- 2) Institute new processes and procedures for advertising public hearings or substituting notices for posting, and having copies of plans available at the public library
- 3) Improve program accessibility by ensuring the website is screen reader compatible for the visually impaired, and developing translated policies and notifications for LEP individuals
- 4) Target outreach processes to low income Portland residents, particularly renters in HCD eligible areas and public housing residents
- 5) Develop and continually update interested parties email lists for notifications of public hearings, neighborhood meetings, committees, and public comment periods, including lists of neighborhood organizations, non-profits, businesses, developers, environmental advocates, etc.
- 6) Continue to explore new avenues for performing outreach and receiving citizen feedback, including engaging the New American population, continuing to make the website a robust resource, utilizing social media and new citizen engagement technology.

## **2. Introduction**

The City of Portland, Maine is a U.S. Department of Housing and Urban Development (HUD) entitlement community, meaning that it directly receives annual federal grants to fund programs and projects that primarily benefit low to moderate income people in the City. These grants include the Community Development Block Grant (CDBG), Home Investment Partnership Program (HOME), and Emergency Solutions Grant (ESG).

CDBG is the largest of the three grants that the City receives and is aimed at ensuring people have decent affordable housing, providing services to the most vulnerable in the community, and creating jobs through the expansion and retention of businesses (HUD). In the 2012-13 program year, Portland expended \$1,932,671 of CDBG funds for program administration, planning, social service programs such as homeless shelters and services, soup kitchens and childcare; infrastructure improvements such as sidewalks and streetscapes; and economic and job creation initiatives such microenterprise development and direct business assistance (CAPER, 2013).

While HUD places parameters on how the money can be spent, the annual process of determining which projects receive CDBG funding is locally determined through a process of neighborhood meetings to identify community needs, review of grant applications by a volunteer citizen committee directed by locally-determined priorities set by a periodic Priority Task Force composed of advocates and representatives of CDBG target populations, City Manager recommendations, and the City Council's final approval of funding, all with the guidance of City Housing & Community Development division staff.

Thus, citizen participation is a critical part of the CDBG process at multiple levels. Such participation directs projects to the benefit of the community and provides a level of accountability, and inclusion. In recognition of this importance of citizen participation, HUD requires its entitlement communities to have a formal Citizen Participation Plan that ensures a baseline of participation, and outlines how the entitlement jurisdiction will reach out to the community and engage citizens, particularly those who otherwise face barriers to participation, such as persons who are low income, speak English as a second language, or have a disability.

Using these HUD requirements along with other federal regulations as a metric, this paper will examine Portland's Citizen Participation Plan and processes, and make recommendations to improve the Plan and these processes for increased equity, availability, and accessibility to the CDBG and program process. In order to make such recommendations, this paper will discuss citizen participation theory, Portland's demographics, assistive technology, language and translation resources, communication strategies, and best practices from other communities' plans. By implementing these recommendations Portland's Citizen Participation Plan can communicate regulatory compliance to HUD, be a better resource for citizens, and incorporate greater equity in decision-making and efficiency in the use of funds into its grant process

### **3. Citizen Participation theory**

Citizen participation in government can take many forms, from voting to advocacy to holding public office. Direct citizen participation of individuals in consensus-building and community decision-making, has become more rare, but such practices have been prevalent throughout time in many cultures, from Native American tribes to Greek city-states and Renaissance Italy to the New England town meeting (Roberts, 2013). However, the U.S.'s current predominantly representative style government, which serves the size and complexity of its society, prevents direct citizen participation in most policy-making.

Barriers to citizen participation have always existed, and indeed, the very idea of citizenship has been, and in some ways continues, to be used as an exclusionary device, defining who is worthy of political power at different points in time, whether it be on the basis of gender, property ownership, or race. Consequently, direct citizen participation in policy making can undeniably provide an avenue for access to influence, the contribution of citizen information and knowledge, and the protection of individual interests in public policy. Put more simply, as Sherry Arnstein did in 1969, citizen participation is a form of citizen power and, "it is the redistribution of power that enables the have-not citizens, presently excluded from the politics and economic processes, to be deliberately included in the future. It is the strategy by which the have-nots join in determining how information is shared, goals and policies are set, tax resources are allocated, programs are operated, and benefits... parceled" (Arnstein 1969: 216). This rousing defense of citizen participation as a means for greater social equity articulates the reason direct citizen participation has an important role to play in a democracy where the people are meant to be equal and to be the ultimate decision-making authority in government's function of allocating society's scarce collective resources.

However, while proponents see citizen participation as a critical component of a true democracy (Webler, 1995), and a system stabilizer that enhances and legitimizes institutions and leads to more efficient decision making, critics have labeled direct citizen participation as disruptive,

inefficient, incompetent, unfair, and inflammatory, furthering conflict and unrest (Webler, 1995: 23). In reality, the process and outcomes of citizen participation can combine many of both these positive and negative elements especially because there is no one standard form of citizen participation that would satisfy everyone (Webler, 1995: 29).

Yet, despite the flaws that exist in the equity of access, process, procedure, and implementation of direct citizen participation, its necessity in a true democracy has led to it being enshrined in many political processes. On the federal level, citizen participation requirements were first put in place when federal agencies began taking on a larger regulatory role, and pressure built for participation activities to be formalized and institutionalized (Webler, 1995:19). These first formal avenues for participation were introduced with the Administrative Procedures Act of 1946, which ushered in an era of viewing formalized public participation as essential for good governance (Webler, 1995). The Act required agencies to make their information and activities available to the public and provide notice and hold hearings on rule making. Furthermore, the act stated:

*After notice required by this section, the agency shall afford interested persons an opportunity to participate in the rule making through submission of written data, views, or arguments with or without opportunity to present the same orally in any manner; and, after consideration of all relevant matter presented, the agency shall incorporate in any rules adopted a concise general statement of their basis and purpose.*  
(Administrative Procedures Act, 1946)

Later, the Housing Act of 1954, which was mostly aimed at so-called slum clearance in the name of urban renewal, required citizen participation, as did much of the legislation of the Great Society social programs of the 1960s (Webler, 1995). However, according to Webler, as that era saw social problems persist, enthusiasm for direct participation and its potential to correct injustice waned, and, while still valued, it came to be viewed more as an obligatory “watchdog activity” for regulatory decision making, preserved in pieces of legislation such as the National Environmental Policy Act of 1969 (NEPA) and the Freedom of Information Act of 1974 (Webler 1995: 19).

This transition from valuing citizen input for its utility to a more perfunctory use can be seen in HUD literature aimed at entitlements over the years. First, from a guidebook from 1978 on citizen participation in the Community Development Block Grant process, HUD outlined the following formulation of citizen participation:

*Basic fairness requires that persons affected by public actions have a voice in policy formulation. In the long run, the CDBG program aims at overall community benefit, but in the short run some individuals might be affected adversely, at least temporarily. It is of utmost importance that they know what is being planned and be given opportunities to present their views. The program gives special attention to the needs of low-and-moderate-income persons, so it is especially crucial to achieve their involvement in program planning and implementation. Other citizens also want to offer their ideas about priorities, allocation of funds, and design of program activities. For these reasons,*

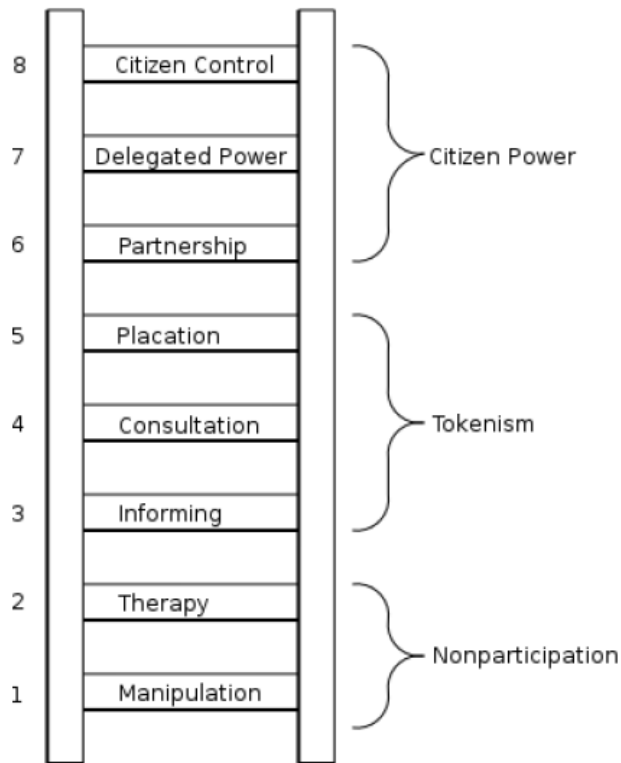
*full and meaningful citizen participation is an essential ingredient of community development.* (HUD, 1978)

The guidebook also emphasized the fact that citizens have special knowledge of their communities and their own needs and can therefore contribute substantially to the process and articulate the best use of funds.

A more recent HUD resource on citizen participation for grant administrators from 2007 is more tempered. It does call citizen participation “vitaly important to the success of CDBG-funded activities undertaken by local governments” and that the primary goal is “to provide citizens – especially low and moderate income citizens of the community where CDBG-funded activities will take place – an opportunity to participate in an advisory role in the planning, implementation, and assessment of the programs and projects” (HUD PowerPoint). Yet the presentation also addresses disputes and conflict in citizen participation cautioning that, “compliance [with HUD regulations] reduces the number of legal challenges and citizen complaints against the local government” (HUD PowerPoint).

These different formulations of citizen participation from “advisory” to “full and meaningful” can also be viewed as what Svava and Denhardt call normative and instrumental participation (Svava, 2012: 6). The former values citizen participation for its own sake – because it is the “right” thing to do and legitimizes the process, while the latter values citizen participation for efficiency and efficacy in identifying and implementing needs directly – because it is the “smart” thing to do (Svava, 2012: 6).

Sherry Arnstein in her seminal piece, “A Ladder of Citizen Participation” categorized these various types of participation in a hierarchy from manipulation of citizens, to full citizen control. This formulation asserts that both strategic and operational power over decisions is necessary for true citizen control and that merely informing the public or letting them air their grievances is just token participation and not true access to power.



(Arnstein, 1969)

In the years since Arnstein's work on citizen participation, others have reimagined, critiqued and reconceptualized her ladder with everything from continuums to pyramids of participation, in an effort to further contextualize and enrich the description participation processes out of a simple hierarchy. For instance, Chanan's pyramid view of participation looks at the unit or mechanism of citizen participation and the support and development role that government should take at each level in order to empower citizens:



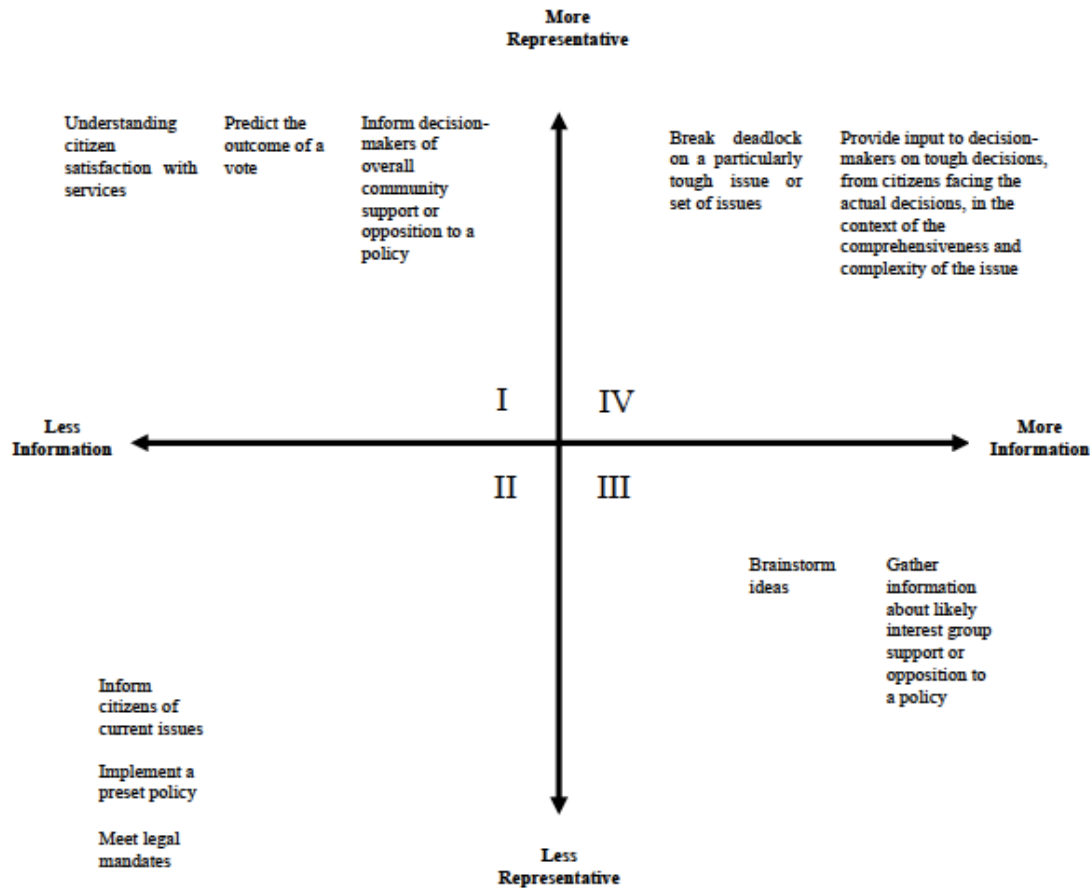
<b>Level of activity</b>	<b>Type of support and development needed</b>
<b>Leadership</b>	Technical assistance in negotiating with authorities and other power holders, helping shape the overall development of the locality and its population, and strategies for maintaining dialogue with other members of the community
<b>Infrastructure</b>	Development to establish or improve umbrella groups, forums and networks, service to their members, cohesion of community and voluntary sector and relationship with other sectors
<b>Established organisations</b>	Strategic planning, volunteers skills, staff skills, effective delivery, widening of social or geographical catchment, better interaction with networks and forums, new opportunities for local people to become involved
<b>Informal or excluded groups and new and fragile organisations</b>	Assistance in group formation, basic organisational skills, development of trust and confidence, clarification of joint objectives, establishment of group identity, getting help from established organisations or umbrella groups, opening up to more local people
<b>Individuals</b>	Stimulus to get involved in activities and organisation, assistance where needed in overcoming exclusion, making social contacts, building up confidence, establishing personal development pathways, participation in new or established group

(CAG Consultants)

This conceptualization holds that there is power at each level of the pyramid but that within a community, citizens choose to participate in decision-making at different levels. As the level of involvement increases, the amount of people that take on that responsibility decreases, resulting in a pyramid where each level has different needs and roles to play, yet they all depend upon and support one another, from the many individuals that undertake low levels of participation at the bottom of the pyramid, to those few in leadership positions at the top of the pyramid with decision-making authority (CAG Consultants). For instance, in the CDBG funding process, all of the elements from simple communication and availability of information, to neighborhood meetings and public hearings, to citizen committees setting program priorities and scoring grant applications to the City Council granting ultimate approval, create a system of accountability, information gathering, knowledge, and expertise that build upon each other.

Yet the power imbalance in democratic decision making as evidenced in the pyramid of participation is still the great dilemma in citizen participation: the individuals that are excluded or oppressed in society, and who are the very target of grant programs such as CDBG, often face the biggest barriers to participation and voicing their opinions and ideas. While the other levels of the pyramid may solicit the input or participation of citizen advocates of these groups, such as people who work in homeless services, the participation inevitably becomes less direct.

Therefore, local governments need to take into account myriad factors from efficacy, cost, time, quality, and equity in citizen participation. The tradeoffs of prioritizing these various factors are depicted in the continuum of participation below.



(Svara, 2010: 69)

This continuum shows different participatory activities relative to the level of information and citizen representation achieved. Quadrant IV may be ideal, but in reality, all quadrants of the continuum contribute to the process.

However, these models do not address another limiting factor of citizen participation, which is simple preference, motivation, practicality, and choice on the behalf of individuals. As Ventriss and Kuentzel explain: “while citizen involvement is certainly an improvement over the ‘high priest’ models of technical expertise in the organization culture of public agencies, assumptions about fairness and equity among different stakeholder groups are ideals rarely achieved. Consequently, a consensus in the public sphere is like a transitory mirage, contingent on the constellation of actors who happen to rise to the surface of ongoing public conflict and debate.” (Ventriss Kuentzel, 520)

Thus, the people who ultimately choose to come forward and participate are unpredictable in many ways, but the processes by which they access information and influence can be controlled. Who was informed, how, and when should be set to a high standard of accessibility and inclusivity, while undertaking activities to raise awareness and provide opportunities for people to see the impact they could make on the outcomes of the process and how their interests can be served.

#### 4. Methodology

This paper will analyze the City of Portland’s Citizen Participation Plan for its federal grants to make recommendations for greater regulatory compliance that can also make the citizen participation process both more normative and more instrumental, engaging all levels of the citizen participation pyramid. HUD’s Non Discrimination and Citizen Participation regulations and the Americans with Disabilities Act requirements are the primary relevant regulations that outline the standards of availability, accessibility, and equity that should be met in the Citizen Participation Plan and the resulting processes. To perform this assessment of plan, what is stated in the Citizen Participation Plan as well as Housing & Community Development (HCD) division standard operating procedure around CDBG citizen participation, as explained by staff, past plans, City policies and procedures, the Consolidated Annual Action Plan for the use of funds and the Consolidated Annual Performance Evaluation Report of the use of funds, will be compared to the relevant federal regulations.

The Citizen Participation Plan regulations can be found in the federal code at 24 CFR 91.105. These regulations focus on the principles of inclusion and capacity building in soliciting feedback and participation from all members of the community and their advocates. The regulations require that local governments adopt a Citizen Participation Plan and that the jurisdiction make information about its federal grants public and open for comment, while providing a “reasonable opportunity” for citizen comment. Also, any reports, plans, records or amendments regarding the programs must be accessible to the public and open to comment. Any complaints must be responded to and technical assistance for preparing grant proposals must be provided if requested.

The regulations also require the jurisdiction to perform a certain amount of outreach and encouragement of citizen participation. The section of the regulations on encouragement of participation states:

*(i) The citizen participation plan must provide for and encourage citizens to participate in the development of any consolidated plan, any substantial amendment to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction is also expected to take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.*

*(ii) The jurisdiction shall encourage the participation of 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 and implementing the consolidated plan.*

*(iii) The jurisdiction shall encourage, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments, in the process of developing and implementing the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The*

*jurisdictions shall make an effort to provide information to the public housing agency (PHA) about consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing required for the PHA Plan.*

*(iv) The jurisdiction should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of focus groups and the Internet. (Code of Federal Regulations, Title 24 Part 91.105(a)(2))*

HUD regulations at 24 CFR Part 8, Nondiscrimination Based on Handicap in Federally Assisted Program and Activities of the Department of Housing & Urban Development, also states that, “no qualified individual with handicaps shall, because a recipient’s facilities are inaccessible to or unusable by individuals with handicaps, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity that receives Federal financial assistance” (Code of Federal Regulations, Title 24 Part 8.4(a)).

Additionally, the Americans with Disabilities Act (ADA) requires that state and local governments that receive federal funding “provide qualified individuals with disabilities equal access to their programs, services, or activities unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden” (DOJ toolkit, 2007). Both physical and technological accessibility for people with disabilities is an important part of this access. For instance, because websites provide 24/7 access to some information and services, if a person’s disability prevents them from using the website, thereby preventing them from enjoying equal access to services and information, that is as much an infraction of ADA as holding public meetings in a building that is not handicapped accessible.

## **5. Findings**

Upon performing a review of the current Portland Citizen Participation Plan and processes in comparison to federal requirements, several gaps become clear. First are a series of instances where policy and process need clarification or explanation in the plan, then where basic time and availability requirements are not being met, followed by issues where greater accessibility, engagement, and outreach could be achieved:

- ***What the regulations say:*** “The requirement for publishing [the consolidated plan] may be met by publishing a summary of the proposed consolidated plan in one or more newspapers of general circulation, and by making copies of the proposed consolidated plan available at libraries, government offices, and public places” (24 CFR 91.105(b)(2))
- ***What the plan says:*** The plan does not state whether copies and/or summaries of the Consolidated Annual Action Plan are available in other public locations, besides City Hall, such as libraries.
- ***What the process is:*** Copies of the plan are not made available at other public locations, however it is posted on the City website.

- ***What the regulations say:*** “The citizen participation plan must provide for and encourage citizens to participate in the development of any consolidated plan, any substantial amendment to the consolidated plan, and the performance report” (24 CFR 91.105(a)(2)(i))
  - ***What the plan says:*** Citizen participation processes for the Consolidated Annual Performance and Evaluation Report (CAPER) are not explained in the same way as they are for the Annual Action plan, and it is unclear if comment periods, public hearings, and response to citizen comment are also followed for the CAPER.
  - ***What the process is:*** All of the required public notification and participation processes that are followed for the Action Plan are currently followed for the CAPER, including an open comment period and public hearings.
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- ***What the regulations say:*** 24 CFR 91.105(e)(1) states that “the citizen participation plan must provide for at least two public hearings per year to obtain citizens’ views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year...the citizen participation plan must provide that at least one of these hearings is held before the proposed consolidated plan is published for comment.”
  - ***What the plan says:*** While the Portland plan states that the City holds a minimum of two public hearings each year to obtain citizen input and comments, the staging of those meetings is less clear. The plan says: “hearings are typically held in March or April, prior to the City Council’s adoption of both the Consolidated Plan and for the Annual Action Plan” and that “additional meetings are also held throughout the year with the City Council and the Housing and Community Development Committee to discuss ongoing issues or annual updates to Portland’s CDBG program” (City of Portland, 2013: 3).
  - ***What the process is:*** Public hearings are held before the adoption of the Action Plan in March or April, and in September before the adoption of the CAPER. Both the plan and the report are subject to comment periods (30 days for the Action Plan and 15 days for the CAPER) and public hearings before council adoption. Additionally, before going to Council, proposals and reports regarding HUD programs are presented to the City of Portland Housing & Community Development Committee at meetings that are open for public comment. Neighborhood meetings are also held at the beginning of program years, typically in October, to solicit citizen input.
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- ***What the regulations say:*** “The citizen participation plan must state how and when adequate notice will be given to citizens of each hearing, with sufficient information published about the subject of the hearing to permit informed comment. (Publishing small print notices in the newspaper a few days before the hearing does not constitute adequate notice. Although HUD is not specifying the length of notice required, it would consider two weeks adequate)” (24 CFR 91.105(e)(2)).
  - ***What the plan says:*** “The City notifies the general public of the time and dates of the hearing by placing a legal advertisement in the local daily paper prior to the date of the hearing...the City also notifies public agencies, organizations and other stakeholders through email or mail 7-10 days prior to the hearing. Information is also always posted on the City of Portland’s website.” (City of Portland, 2013: 3)

- ***What the process is:*** There is currently no standard amount of time before the public hearing that the notice is published in the newspaper, however a publication is made in the Portland Press Herald or the Portland Daily Sun. Agencies and organizations who have applied for funding are notified via email ahead of time about public hearings, but not specifically for the adoption of the Action Plan and the CAPER.
- ***What the regulations say:*** “The citizen participation plan must provide that hearings be held at times and locations convenient to potential and actual beneficiaries, and with accommodation for persons with disabilities. The citizen participation plan must specify how it will meet these requirements” (24 CFR 91.105(e)(3)) and “the citizen participation plan must provide citizens with reasonable and timely access to local meetings” (24 CFR 91.105(f))
- ***What the plan says:*** The Plan does not indicate whether public hearings are held at times and locations convenient for those low to moderate income persons to whom the program is targeted.
- ***What the process is:*** All public hearings are held in the evening at City Hall, a centrally-located, handicapped-accessible, public facility. The neighborhood meetings are also held in the evening at community or public spaces such as the Parkside Neighborhood Center, Reiche School, Italian Heritage Center, etc.
- ***What the regulations say:*** “The jurisdiction shall encourage the participation of 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 and implementing the consolidated plan” (24 CFR 91.105(a)(2)(ii))
- ***What the plan says:*** The encouragement of participation by local and regional institutions and organizations is not noted, except in the section on Public Hearings, where it states, “The City also notifies public agencies, organizations, and other stakeholders through email or mail 7-10 days prior to the hearing.” (City of Portland, 2013: 3). It also notes that “a diverse group of residents from local and regional institutions and other organizations have been, or are currently appointed to the [Annual Allocation] Committee” (City of Portland, 2013: 2). The process for the Five Year Consolidated Plan focuses on making information available, through publication of a summary, posting the plan on the websites, conducting a 30 day comment period, and having copies available at City Hall (City of Portland, 2013: 4). Particular outreach efforts are not noted.
- ***What the process is:*** The HCD Program Manager maintains a list of “interested parties” with contacts at regional institutions and organizations and contacts them primarily in the event of CDBG applications becoming available, but not during the Action Plan or CAPER comment periods. The HCD Program Manager also regularly attends Continuum of Care and Emergency Shelter Assessment Committee (ESAC) Meetings. ESAC plans and monitors the Continuum of Care (CoC) grant application and is a collaborative of homeless service providers, local and state government officials, advocates and other community members that work on issues relating to homelessness in Portland and the Greater Portland area.

- **What the regulations say:** The entitlement community must “take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as person with disabilities” (24 CFR 91.105(a)(i)), and “The citizen participation plan must identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.” (24 CFR 91.105(e)(4))
- **What the plan says:** The plan mentions in several areas that it is City policy to make reasonable accommodations and provide translation, but it does not indicate how a citizen might make these requests or that those citizens are encouraged to participate. The plan reads: “translation services for non-English speaking persons will be made available as requested. It is the City’s policy to provide any and all reasonable accommodations for its disabled or non-English speaking citizens to access any materials, presentations, or locations relative to City programs. The City is fully prepared to provide translation services for the Plan and all programs subject to this Plan.” (City of Portland, 2013: 4)  
**What the process is:** Translation and interpretation services throughout the City are currently employed on an ad hoc basis and vary from department to department. The City of Portland Executive Office created a Language Access policy in 1998, primarily in response the influx of immigrants from Africa that were coming in to Portland and seeking out City services around that time (City of Portland, 1998). The policy states:

*When needed, the City will provide trained interpreters at no cost to any individual who requires such services in order to participate in a City program. If a bi-lingual employee is available to provide such services, they will be used if they have been trained to provide interpreter services.*

*All employees in positions which have contact with the public, whether federally funded or not, will be trained in the procedures to follow when a limited English speaking customer attempts to access a City service and there is difficulty in communicating with that customer. Training will be provided in the following areas:*

- a. Determination of the language needed;*
- b. Availability of trained translators through the Refugee Resettlement Program and how and when to call them;*
- c. Availability and use of the A.T. & T Language Line Services; and*
- d. Cross cultural awareness training.*

*The City's policy of ensuring accessibility of City programs and services to all of its citizens, regardless of English proficiency, will be reviewed with appropriate management staff. Each Department will be responsible for identifying its needs for its limited English-proficiency customers, including training needs for Departmental employees and need for translated program materials, and shall work to implement this City policy on an ongoing Departmental basis.(City of Portland, 1998)*

This training, signage, and tools for language determination have largely fallen out of use and the City no longer uses the AT&T Language Line. The Multicultural Affairs officer in the Executive Department is currently negotiating a contract for a new language line and is working on updating and reinstating the use of these tools and updating City policy by working with an internal Working Group that includes members from the City’s Refugee Services Program, Police Department, Housing & Community Development division, and the Portland Jetport.

In the meantime, current City procedure is to follow guidelines created by the Social Services division, which works frequently with LEP individuals through the General Assistance program. These guidelines suggest that, first, the staff member should determine whether the individual needs an interpreter or if they have someone with them who can interpret. If bringing someone with them, that person should be 18 or older. Also bilingual City staff can interpret if available. However if it is determined that a third party interpreter is needed, Maine State Interpreters, Certified Interpreters, or Catholic Charities’ Maine Refugee and Immigrant Services should be contacted. The interpreter request form is available on the City of Portland intranet. In the event that staff is unable to determine the customer’s language, they should use the AT&T line in an emergency.

***What the demographics indicate:*** From 2000 to 2010, Portland’s ethnic and racial demographics have seen noticeable change, principally because of an influx of immigrants and refugees from Africa and Iraq. Also, according to the American Communities Survey, 15.4% of Portland’s population speaks a language other than English at home, and of those, 45% speak English “less than very well.”

Ancestry of residents, 2000 and 2010

	2000*	2010**
<b>Cumberland County</b>		
Arab	449	831
Sub-Saharan African	745	3,766
West Indian	258	569
<b>Portland</b>		
Arab	168	443
Sub-Saharan African	561	2,412
West Indian	77	182
<b>HCD Areas</b>		
Arab	90	285
Sub-Saharan African	375	1,251
West Indian	4	45

\*Source: US Census, \*\*Source: ACS, 2006-2010



Racial composition of population, 2000 and 2010

	2000	2010
<b>Cumberland County</b>		
<i>Total Population</i>	<b>265,612</b>	<b>281,674</b>
White	95.7%	92.8%
Black	1.1%	2.4%
Asian	1.4%	2.0%
Two or More Races	1.1%	1.8%
<b>Portland</b>		
<i>Total Population</i>	<b>64,249</b>	<b>66,194</b>
White	91.3%	85.0%
Black	2.6%	7.1%
Asian	3.1%	3.5%
Two or More Races	1.9%	2.7%
<b>HCD Areas</b>		
<i>Total Population</i>	<b>22,304</b>	<b>25,759</b>
White	88.2%	81.9%
Black	4.0%	9.6%
Asian	3.4%	2.8%
Two or More Races	2.5%	0.3%

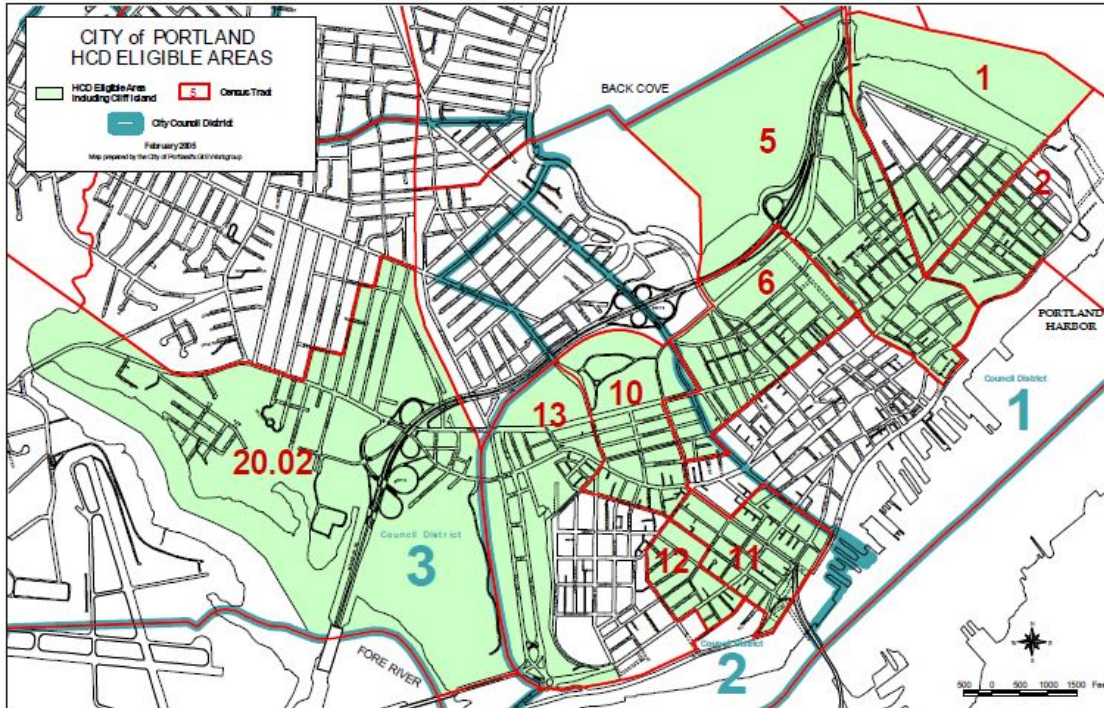
- **What the regulations say:** “Where a recipient communicates with applicants and beneficiaries by telephone, telecommunication devices for deaf persons (TDD’s) or equally effective communication systems shall be used.” (24 CFR 8.6(a)(2)).

TDD or TTY, which are both acronyms for Text Telephone technologies, is a phone technology used by the deaf, hard of hearing, or speech impaired. It allows users to type back and forth in order to communicate, rather than speak by phone. While this technology is not as prevalent as it once was before internet communication became more accessible, it is still a tool that provides for greater accessibility to information and services that would be commensurate with a non-disabled persons communication options.

- **What the plan says:** Contact information for the deaf or hard of hearing is not noted.
- **What the process is:** The HCD division used to share a TTY phone with the Inspections division, however that unit has fallen out of use in recent years and is no longer connected to the phone line. The Human Resources department has a functioning TTY phone.
- **What the demographics indicate:** According to the American Community Survey three year estimate from 2008-2010, approximately 1,658 individuals in Portland, or 0.03% of the population, experience hearing difficulty (Analysis of Impediments, 2013: 31).

- ***What the regulations say:*** “The recipient shall ensure that members of the population eligible to be served or likely to be affected directly by a federally assisted program who have visual or hearing impairments are provided with the information necessary to understand and participate in the program. Methods for ensuring participation include, but are not limited to, qualified sign language and oral interpreters, readers, or the use of taped and Braille materials.” (24 CFR 8.54(c))
- ***What the plan says:*** The plan stipulates that the City provides reasonable accommodations that “include a format accessible to persons with disabilities, upon request (e.g. providing oral, Braille, electronic, or large print copies for the visually impaired) (City of Portland, 2013: 4).
- ***What the process is:*** As the plan indicates, when requests are made for such accommodation, the City works with sign language interpreters contracted through Maine Spoken Language Interpreters or other resources. However, the website, which provides a wealth of program information, including Action Plans, CAPERs, Allocation Committee and Priority Task Force information, funding allocations and applications, and more, does not provide materials in alternative formats. The City is currently working with CivicPlus, a web design firm that specializes in creating websites for municipalities and non-profit organizations, to redesign its entire website to be more straightforward and user-friendly, which provides an opportunity to improve the website’s accessibility as well. So far, CivicPlus has committed to being fully ADA compliant in its construction of the City of Portland website and the website will have a tool that allows the content to be translated into other languages.
- ***What the demographics indicate:*** According the American Community Survey three year estimates from 2008-2010, approximately 1,307 individuals in Portland, or 0.02% of the population, experience vision difficulty (Analysis of Impediments, 2013: 31).
- ***What the regulations say:*** “The citizen participation plan must provide for and encourage citizens to participate in the development of any consolidated plan, any substantial amendment to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction” (24 CFR 91.105(a)(2)(i))
- ***What the plan says:*** “The Citizen Participation Plan encourages the participation, involvement and input of all Portland residents, particularly low-income persons, targeted for activities funded by the Community Development Block Grant and other HUD programs. In order to encourage this participation, public housing residents, racial and ethnic minorities and persons with disabilities, the City will implement or continue to utilize the following elements of its Citizen Participation Plan” (City of Portland, 2013: 1). It goes on to explain the following elements:
  - CDBG Priority Task Force
  - Annual Allocation Committee
  - CDBG Neighborhood Meetings and District Meetings
  - City of Portland Website and Social Networking Sites

- Island and Neighborhood Service Administrator
- Public Hearings
- Continuing Outreach
- Technical Assistance
- Comments and Complaints
- ***What the process is:*** Portland’s low and moderate income neighborhoods are defined on the map below. These areas include most of the Portland peninsula such as parts of Munjoy Hill, East Bayside and Bayside, Parkside, parts of the West End, and Libbytown.



Projects seeking to provide an area benefit must be located in one of these areas.

- The CDBG Priority Task Force and Annual Allocation Committees are the result of the reformulation of the City Managers Policy Advisory Committee (CMPAC). The CMPAC was part of the CDBG process beginning in the 1970s until 2007, and was composed as follows:

*There shall be one representative from each of seven neighborhoods of the City. This individual shall be chosen independently by the established community organizations within each neighborhood, such as community betterment groups, parent/teacher associations, and business organizations that are based in the neighborhood. To guard against a possible conflict of interest, a member of the committee may not be employed in an HCD funded position. Additionally, there shall be one representative from each of the following: United Way, Portland Housing Authority, Portland Chamber of Commerce, Southern Maine Assoc. for Handicapped Persons, Portland’s Elderly Population chosen by the Cumberland/York Task Force on Aging,*

*Minority representation chosen by the NAACP (City of Portland, 1979: 14-15)*

The 2007 Housing & Community Development Task Force restructured the CMPAC to create two separate Council-appointed committees: the Priority Setting Task Force and the Annual Scoring Committee (Annual Allocation Committee). This split was made because specific organizations having a seat on the committee had given rise to an overtly political climate in which CMPAC members were embroiled in conflicts of interest.

The HCD Task Force report described the two new committees as follows:

*Priority Setting Task Force to establish priorities for the HCD Program Funds:. Priorities will be set in all three funding categories: planning/administration, public services, and other public improvement projects. Recommended priorities will be reviewed by a Council Committee prior to City Council review and adoption. This group should consist of 9-16 Portland residents representing diverse and relevant populations and expertise could include but is not limited to: a) residents of eligible neighborhoods; b) low and moderate income Portland residents; c) renters and d) landlords; individuals who are knowledgeable about e) planning and f) economic development; g) public service representatives from various areas of expertise; h) Portland housing authority (resident or worker); i) senior citizens; j) young persons (under 30); k) immigrant and refugees; and an individual with a l) disability. Annual Scoring Committee to rate, rank, score and make recommendations for the allocation of HCD resources. This group should consist of 7-10 Portland residents, who will serve staggered three year terms. Conflict of interest should be minimized; no staff, board members, contractors or anyone receiving financial gain from an applicant's proposal can participate on this committee. HNS staff will conduct a threshold review of applications and forward all that comply with HUD guidelines to the Scoring Committee. (HCD Task Force, 2007: 8)*

Positions on these two committees are publicly advertised in the Portland Press Herald. Applicants must be Portland residents, and to be considered they must submit a resume and letter of interest to the City Clerk who brings them before the City Nominating Committee. Their recommendations then go before the City Council, including a public hearing, and the Council votes on the appointments to the committees.

The 2013 CDBG Working Group, which came out of the 2012 Priority Task Force, had members from the Portland Regional Chamber, the Portland Housing Authority, Goodwill Industries, Southern Maine Community College, Coastal Enterprises Inc., Portland Career Center, United Way, Portland Adult Education, members of the CDBG Allocation Committee, a City Councilor, and other community members.

The 2013-2014 program year Allocation Committee had 8 members with a variety of backgrounds and demographics, including members who were New Americans and had a physical disability.

- Neighborhood Meetings – Two CDBG neighborhood meetings are held at the beginning of each funding cycle in September or October, one in Council District 1 and one in Council District 2, which covers most of the HCD eligible areas. In recent years, because of budget considerations and data availability, notification postcards about CDBG neighborhood meetings have only gone out to property owners in Districts 1 and 2, regardless of whether they live in the property, the City, or even the state of Maine. This discrepancy means that many actual residents of the eligible neighborhoods do not receive notification of the meetings. In fact, in District 1 the mailing went to 1,872 property owners while there are actually 5,909 individual housing units in the district (City of Portland Assessors Database). Similarly, postcards went to 1,918 property owners in District 2, which has a total of 5,726 individual housing units (City of Portland Assessors Database). District 3, which has CDBG eligible areas, discusses CDBG activities at the general City District 3 neighborhood meeting, notification for which does go out to individual housing units.

In the early years of the program, a Housing and Community Development informational brochure went out to all City residents describing CDBG, the City's process, information about public meetings and hearings, a list of apparent community needs, and a survey soliciting citizen input about community needs. According to the Citizen Participation Plan from 1995, the brochure still went out to all residents of the City. The use of this brochure was discontinued in the mid 2000s. Meeting notices were also distributed by the elementary schools in the 1990s.

- The website and social networking will be addressed in a later section of this paper.
- The Island and Neighborhood Service Administrator helps coordinate neighborhood meetings and serves as the hearing officer for CDBG award appeals.
- Public Hearings are held before the City Council and are open and accessible for any citizen who wishes to make comment.
- Continuing Outreach – this section of the plan restates process and procedure such as accommodating requests, having 30 day comment periods, holding public hearings, and states where people can access information about the HCD program. Current outreach is performed informally and not as part of a larger strategic plan.
- Technical Assistance – the HCD Program Manager provides a significant amount of technical assistance to all CDBG applicants and subrecipients when filling out the CDBG application and for tracking and completing their projects.
- Comments and Complaints – These are always accepted by HCD staff via email, mail, in person, or by phone.



- **What the demographics indicate:** Poverty in HCD eligible areas of the City is 24%, representing almost a quarter of area residents and twice the level of poverty in Portland as a whole.

<b>Cumberland County</b>	
<i>Total Families</i>	<b>71,799</b>
Families Below Poverty Level	6.9%
Female Headed Families Below Poverty Level, with children	4.0%
<b>Portland</b>	
<i>Total Families</i>	<b>13,783</b>
Families Below Poverty Level	12.1%
Female Headed Families Below Poverty Level, with children	7.6%
<b>HCD Areas</b>	
<i>Total Families</i>	<b>3,578</b>
Families Below Poverty Level	24.1%
Female Headed Families Below Poverty Level, with children	16.2%

Source: ACS, 2006-2010

- **What the regulations say:** “The jurisdiction shall encourage, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments, in the process of developing and implementing the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The jurisdictions shall make an effort to provide information to the public housing agency (PHA) about consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing required for the PHA Plan” (24 CFR 91.105(a)(2)(iii)).
- **What the plan says:** “The Citizen Participation Plan encourages the participation, involvement and input of all Portland residents, particularly low-income persons, targeted for activities funded by the Community Development Block Grant and other HUD programs. In order to encourage this participation, public housing residents, racial and ethnic minorities and persons with disabilities, the City will implement or continue to utilize the [CDBG Priority Task Force, Annual Allocation Committee, CDBG Neighborhood and District Meetings, City of Portland Website and Social Network Sites, Island and Neighborhood Services Administrator, Public Hearings, Continuing Outreach, Technical Assistance, and Comments and Complaints.” (City of Portland, 2013)
- **What the process is:** Currently there is no particular outreach to Housing Authority residents. However, Housing Authority staff have been on the Priority Task Forces.
- **What the demographics indicate:** Portland Housing Authority residents, of which there are 2,520, include high percentages of low income and disabled individuals, racial and

ethnic minorities, and LEP persons. 56% of PHA residents were born outside of the U.S., with the top six countries of origin being Somalia, Sudan, Vietnam, Kenya, Iraq, and Congo (PHA, 2012: 4).

- ***What the regulations say:*** “The jurisdiction should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; e.g., use of focus groups and the Internet” (24 CFR 91.105(a)(2)(iv)).
- ***What the plan says:*** “The City of Portland’s website provides up to date information on the Community Development Block Grant and HOME Program. The CDBG application, process, dates, and additional information is listed and updated regularly on the website. The current Citizen Participation Plan, Consolidated Plan, Consolidated Annual Performance and Evaluation Reports, and Annual Action Plans are available on the web site all year. In order to reach a broader and younger audience, the City of Portland may also utilize social networking sites to provide important information on the funding resources available to the residents of Portland.” (City of Portland, 2013: 3).
- ***What the process is:*** The website is kept up to date with all program information as stated in the plan. The Department of Planning and Urban Development recently registered a Twitter account, @PortlandPlan, which follows 155 community members, agencies, planning professionals, local businesses, local bloggers, and publications etc. and has 188 followers. This year @PortlandPlan tweeted about the availability of CDBG applications.

## 6. Conclusions

Currently the CDBG process incorporates, solicits, and encourages citizen participation through a range of mechanisms. This process yields results consistent with the CDBG goals of benefiting low to moderate income persons. However, much of the citizen participation happens on the committee level and organization level and not by individuals. Opportunities are provided for individual participation, but mostly because of the normative standards of equity in citizen participation, instead of directly assessing community needs for a more instrumental use of citizen participation for increased efficiency. These individuals could be engaged more directly through outreach and through technology. The City could also continue to build it’s network of stakeholders. The following recommendations are aimed at achieving these ends through greater federal regulatory compliance, and a corresponding increase in transparency, accessibility, and awareness of its program:

- a. **Restructure and update information in the Citizen Participation Plan document for clarity and further explanation of program processes.** Currently the Citizen Participation Plan is more of a statement of policy and compliance

instead of a being a useful resource for citizens. By changing the structure of the plan and adding more detail, the plan can be both a comprehensive statement of regulatory compliance and an accessible guide for knowing how to participate in the CDBG process and request accommodation.

- i. Restructure the plan document for clarity, especially regarding processes for the CAPER. For instance, the Citizen Participation Plan from Portsmouth, NH includes a table that identifies the primary documents related to CDBG and their function. The table from Portsmouth’s plan is below:

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

City of Portsmouth, NH, 2013

Portland’s plan could utilize a similar table, which could also incorporate information about comment periods and their duration as well as the spacing of public hearings at different points throughout the program year.

- ii. Clarify the composition of the Priority Task Force and Annual Allocation Committee and how they function to be inclusive of CDBG target populations. For instance, the Citizen Participation Plan from Lewiston, ME states, “the Citizen Participation Plan (CPP) encourages participation from Lewiston residents in developing the 5-Year Consolidated Plan, any substantial amendments to the Consolidated Plan, and developing the annual action plans and performance reports. The City especially encourages participation by residents of Census Tracts 201, 202, 203 and 204, which constitute the CDBG target area and which is defined as a low and moderate income area. The City also encourages participation by low



and moderate income persons, the homeless, persons with disabilities and of organizations representing these groups. To ensure that all constituents are provided with an opportunity to be included in this important planning and implementation process, the City appoints and convenes a CDBG Citizens Advisory Committee (CAC) to assist in developing the specific goals and objectives of the Consolidated Plan, the annual Action Plan, and the Consolidated Annual Performance Report (CAPER)” (City of Lewiston, 2012: 1). The Portland plan could include similar information and a more detailed description of the composition of the Task Forces and Allocation Committee.

- iii. Identify the Human Resources TTY phone number as the TTY contact for the HCD division. The number is (207) 874-8936 and is monitored during business hours by trained staff who can direct any calls to the appropriate office for response. This information and procedure would bring Portland into compliance for providing commensurate availability to program information and staff for people with hearing difficulties.
- iv. Explain that all public meetings are all held in handicapped accessible locations. For example, Boston’s Citizen Participation Plan states about Public Hearings: “the hearings will be held on a weekday evening at a centrally located and handicapped accessible public place such as the Boston Public Library, the Winter Chambers at 26 Court Street, Faneuil Hall or other such location” (City of Boston, 2011: 4)

**b. Institute new processes and procedures for advertising public hearings and having plans available at alternative locations.**

- i. Put notifications of public hearings in the newspaper at least two weeks prior to the hearing. HUD also allows noticing to take the form of posting information in public places and notifying interested parties. Since the 15 days is a HUD recommendation and not a strict requirement, the City could explore such alternative noticing as well.
- ii. Have copies of the consolidated plan available at the public library or other public places in addition to City Hall. The library is centrally-located, handicapped-accessible and utilized by a wide cross-section of the community, making it a desirable location.

**iii.** Consider posting instead of printing notifications in the newspaper, especially for environmental review notices. If notices are not published in the newspaper then they must be “prominently displayed in public buildings, such as the local Post Office and within the project area or in accordance with procedures established as part of the citizen participation process” (24 CFR 58.43(a)). The Cumberland County CDBG program posts such notices in Town Halls, Community Centers, food banks, Post Offices and prints them in the Forecaster or the Current. Printing notifications might normatively comply with regulation, but posting could be an opportunity to be more instrumental and strategic about notification and publications. For instance, publishing in the Press Herald, while a compliant activity, might not reach as many people as seeing a flyer or being printed in a free publication like the Forecaster that people may be more inclined to pick up. The creation of the next five year Consolidated Plan could be an opportunity to make such adjustments and assessments.

**c. Improve program accessibility for the visually impaired and LEP individuals**

**i.** Work with CivicPlus to ensure that the new City website is screen reader compatible and that the website formatting follows best practices for screen readers. Websites are now a critical component of how local governments communicate and relay information to the public. As such, websites should be thought of as public facilities that must be accessible to handicapped persons, just as a public building or federally assisted housing is.

The visually impaired face barriers to accessing web content, but through making the City’s website compatible with certain technology on the back end and formatting on the front end, the website can be more accessible to screen readers, a tool that visually impaired persons use to access the web. Screen readers essentially convert text into synthesized speech and read the website out loud to the user (WAI, 2013).

One structural element CivicPlus can include in the website to make it more accessible by screen readers is the use of ARIA coding. ARIA, or Accessible Rich Internet Applications, is a coding framework that adds certain attributes to features that specify how they relate to each other and identifies features for user interaction (WAI, 2013). In other words, it tags objects as menus, primary content, secondary content, banners, etc., which allows users to more easily navigate and tab through the content and

regions of the website with a screen reader to get to the content they are seeking, instead of listening to the whole website read line by line.

Other best practices for making content more accessible include:

- Include brief text captions on images so that a screen reader can describe them to the user. Otherwise, a screen reader will ignore images or read out loud the address of the image link.
- Use color contrast between the text and the background to enhance visibility for those who are visually impaired but not totally blind
- Utilize topic headings to provide an outline of the content on the page for better navigation
- Put distinguishing information about a link ahead of the link, and embed them in such a way so that the link can make sense when read out of context

One tool for measuring how accessible a webpage would be with a screen reader is the WAVE, or Web Accessibility Evaluation tool found at <http://wave.webaim.org/>. This tool allows the user to enter a webpage address into the system and it will evaluate the page and flag structural problems, contrast, and errors and alerts where elements are not screen-reader friendly. Below is an example of the Portland homepage being assessed by WAVE. Yellow and red icons represent errors or alerts on the page, such as the fact that images do not have corresponding text descriptions, headings are unclear or links that do not make sense out of context.

The following apply to the entire page:

**WAVE**  
web accessibility evaluation tool

http://www.portlandmaine.gov/

Styles No Styles Contrast

**Summary**

WAVE has detected the following:

- 16 Errors
- 41 Alerts
- 0 Features
- 7 Structural Elements
- 0 HTML5 and ARIA
- 34 Contrast Errors

**Panel Options**

- DETAILS: A listing of all the WAVE icons in your page.
- DOCUMENTATION: Explanation of the WAVE icons and how you can make your page more accessible.
- OUTLINE: The heading structure of the web page.

**City of Portland | 389 Congress Street | Portland, Maine 04101**

Home Departments City Council E-Services Calendar Jobs

**h1 city news**

search the archives

**Fire on Great Diamond Island** (11/25/2013)  
At approximately 4:30 am this morning the City of Portland Fire Department received and responded to a call reporting a structure on fire at 18 McKinley Court on Great Diamond Island. [More](#)

**City Ready to Launch Congress Street Bus Priority Corridor Trial** (11/22/2013)  
PORTLAND, Maine The City of Portland and PACTS, in collaboration with METRO and the Portland Area Comprehensive Transportation System (PACTS) plans to launch a Congress Street Bus Priority Corridor Trial beginning Monday, November 25, 2013. The trial is one of a series of steps recommended as part of the Peninsula Transit Study. The Peninsula transit study goals were to simplify bus access, reduce bus travel time through downtown and generally encourage use of public transit. The plan for the Congress Street Priority Corridor as recommended in the study, was completed and approved by City Council earlier this year. [More](#)

**h1 welcome**

[cityline](#) | [school](#) | [directions](#) | [parking ban](#) | [maps](#)

**Missing alternative text**  
Image alternative text is not present. [More Information](#)

**h1 about portland**

Portland is Maine's business, financial and retail capital and the largest city in the state. Seascapes and cityscapes blend harmoniously in Portland, perched on a peninsula, jutting out into island-studded Casco Bay. The metropolitan hub of Maine's south coast region, Portland is a progressive, lively city incorporating the character of yesteryear into a modern urban environment. Historic architecture blends gracefully with the new as you stroll along her working waterfront or the cobblestone streets of the restored Old Port section of the city.

With a metro population of 230,000, the Greater Portland area is home to almost one quarter of Maine's total population. The population of the

- ii. Include a translated statement in the citizen participation plan, on the web page, and on outreach materials as appropriate, about the availability, and contact information for, interpreter services. While having a policy about interpreters and accommodating other languages, as the HCD division does, is important, if the people who need translation services cannot read that policy in the first place and do not know such services are available to them, it does them little good. The division can utilize bilingual City employees, workfare participants, or contract translation services in order to get translated statements and contact information in prevalent languages in Portland. For instance the Social Services division sees many clients that speak French, Arabic, Portuguese, which accounts for many of the low income African, Iraqi, and Vietnamese residents of Portland. Also the

City Recreation department has French and Arabic contact information on its mailings.

- iii. Continue working with the City of Portland Working Group addressing interpreter and translation services for the City. The group is working to update staff training and tools, for accessing interpreters and translation. Since the HCD division deals with federal funds, it needs to maintain higher levels of service for LEP persons, and therefore should have a prominent voice in shaping City policy and procedure around the issue.

**d. Target outreach processes to low income Portland residents, particularly renters in HCD eligible areas and public housing residents**

- i. Send neighborhood meeting notifications to all residents of CDBG eligible areas instead of just property owners. Bulk mailing companies, such as Berkeley Mailings, which the City uses for district meeting notifications, can create specific area boundaries for their mailings that are sent to all units in an area. Since most CDBG eligible areas are on the Portland peninsula in districts 1 and 2, sending notifications to all Portland peninsula units, bounded by St. John Street on the west and I-295 to the north would reach most of the target population. District 3 areas can continue to participate in CDBG feedback through the annual district meeting.
- ii. Reach out to Portland Housing Authority residents in the event of neighborhood meetings. Though Portland Housing Authority properties are eligible for CDBG funding, not all properties lie within the CDBG eligible areas, meaning that even with mailings targeted to CDBG areas, PHA residents may not receive neighborhood meeting notifications. One possible way to perform more outreach to this population is to periodically attend the monthly Resident Services meetings that include resident council officers, property managers, community policing, and resident service providers, such as the Boys and Girls Club and the Front Street Food Pantry. Another possibility is to send flyers to PHA property managers to post in common areas prior to neighborhood meetings. The current property managers are:
  - 1. Sagamore Village: Annette Rogers, [arogers@porthouse.org](mailto:arogers@porthouse.org)
  - 2. Riverton Park: Trevor Nugent, [tnugent@porthouse.org](mailto:tnugent@porthouse.org)
  - 3. Franklin Towers & Harbor Terrace: Karin Lavigne, [klavigne@porthouse.org](mailto:klavigne@porthouse.org)

4. Front Street & Washington Gardens and Kennedy Park, Bayside Terrace, and Bayside East: David Gagne, [dgagne@porthouse.org](mailto:dgagne@porthouse.org)

- e. **Develop and continually update interested parties lists for notifications of public hearings, neighborhood meetings, and public comment periods and to engage new potential applicants.** Lists could include local and regional institutions, the Continuum of Care, business groups, developers, nonprofit organizations, philanthropic organizations, and other community-based and faith-based organizations. These organizations apply for CDBG funding and often contribute to the Priority Task Force and Allocation Committees, and by continuing to develop these lists, that Network can grow wider and more representative of the whole community.
  
- f. **Continue to explore new avenues for performing outreach and receiving citizen feedback.** The regulations encourage continuing outreach as well as utilizing new technology to bolster citizen participation. Researchers who have studied how local governments utilize tools like social media and user preferences recommend carefully selecting which tools are used and keeping in mind that each platform has a specific purpose and limitations (Svara, 2012). For example, Facebook is useful for sharing information, Twitter is good for announcing urgent news or mobilizing groups quickly, but not for engaging in dialogue. Also a poll conducted by Pew Research found that respondents valued the availability of general, and contact, information and transactions on local government websites more than outreach via social media. The researchers also cautioned local governments need to maintain a high level of monitoring on open source platforms that solicit feedback to ensure civility, especially if respondents are anonymous.
  - i. Keep the HCD website up to date with the most current program information and resources, as a centralized location in which citizens can access information and find out about ways to participate. With the new website, manipulating the division page will be more accessible for frequent updates and announcements.
  
  - ii. Utilize participation features of the new CivicPlus website where appropriate. The new website will also have tools that allow for comments and voting on project ideas. Such features could be an addition to neighborhood meeting comments that are used by the Public Services department to help them determine what infrastructure projects they submit for CDBG funding. For instance, comments could be gathered at neighborhood meetings and posted on the website for further commenting.

The City of Manor, TX, with a population of approximately 6,000 used a crowdsourcing platform where citizens could contribute ideas for improving city services and then other citizens would vote the idea up or down (Svara, 2012: 76). Individuals would earn points for submitting ideas, for commenting, and also if the city ultimately implemented their idea. Points could then be used for meals donated by local restaurants, police ride-alongs or serving as Mayor for a day.

Another program utilizing new technology to respond to public infrastructure needs is in the city of Los Angeles where citizens can download a smartphone application that enables them to take a picture of a public problem like a pothole or graffiti, and then submit it to the City along with the exact location, to be addressed (Svara, 2012:76).

- iii. Continue to utilize the Planning Twitter feed to connect with community members and area organizations and make CDBG announcements such as meeting times and locations, and availability of applications.
- iv. Explore avenues of reaching out to New Americans in Portland. Portland is home to a growing immigrant and refugee population from all over the world. Many of the newcomers are low income and live in CDBG eligible areas, yet face barriers to participation such as LEP and an unfamiliarity with American civic processes like neighborhood meetings and public hearings advertised in the newspaper. However, this group is far from monolithic or homogenous, so in order to reach them and solicit their input, the HCD program should work to identify community leaders and centers and create appropriate outreach mechanisms and materials when possible.

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Appendix A

# City of Portland, Maine Citizen Participation Plan



Adopted as Part of the 2010-2015 Consolidated Plan  
May, 2010  
Updated  
July 15, 2013

Prepared by  
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## **CITY OF PORTLAND, MAINE**

### **Citizen Participation (91.200 (b))**

The City of Portland has had an adopted Citizen Participation Plan since the inception of the Community Development Block Grant Program in 1975. This plan is required and in compliance with federal regulations for the Consolidation of Community Planning and Development Programs of the U.S. Department of Housing and Urban Development, 24 CFR Part 91.

The purpose of the Citizen Participation Plan is to ensure that the City undertakes an effective public process that encourages input and participation from all citizens, non-profit organizations and other interested parties. The Citizen Participation Plan also ensures that residents have access to meetings, information and public hearings on the Consolidated Housing and Community Development Plan, the Annual Action Plans, and the Consolidated Annual Performance and Evaluation Reports. Staff has an open door policy to provide technical and other assistance, upon request.

The Citizen Participation Plan encourages the participation, involvement and input of all Portland residents, particularly low-income persons, targeted for activities funded by the Community Development Block Grant and other HUD programs. In order to encourage this participation, public housing residents, racial and ethnic minorities and persons with disabilities, the City will implement or continue to utilize the following elements of its Citizen Participation Plan.

#### **a. CDBG Priority Task Force**

The CDBG Priority Task Force is a Council appointed Task Force consisting of Portland residents with a broad range of expertise. It provides advice to the City Manager on the Housing and Community Development needs and priorities of the City, specifically the social, economic, housing, and neighborhood revitalization needs and their relative priorities within the community. The Task Force is appointed for the purpose of recommending priorities to the City Council. All meetings of the Task Force are noticed and open to the public. A new Task Force is appointed every three to five years. Task Force membership lasts the duration of the priority setting process for that year, approximately six months to one year.

#### **b. CDBG Annual Allocation Committee**

The CDBG Annual Allocation Committee is a Council appointed Committee also comprised of residents with various backgrounds. This Committee is responsible for reviewing and scoring Community Development applications and making funding recommendations to the City Manager and the City Council each year. All Committee meetings are open to the public. Dates, agendas, backup materials, and minutes are posted to the City of Portland's website and updated regularly during the months the Committee meets, December through February. The CDBG Allocation Committee is a standing Committee where members serve three year terms. The City advertises one to two times per year (in the local newspaper and the web site, etc.) for persons interested in being on this important Committee. A diverse group of residents from local and regional institutions and other organizations including businesses, developers, residents, and

community and faith-based organizations have been, or are currently appointed to the Committee.

c. CDBG Neighborhood Meetings and District Meetings

CDBG meetings are held annually in the City's low-moderate income eligible neighborhoods (neighborhoods by Census Tract Block Groups that are populated over 51% by persons or families below 80% of the Area Median Income) with a presentation describing the CDBG program, Citizen Participation Plan, eligible activities and funded projects that had been completed in these neighborhoods. These public meetings are provided specifically for the residents of each eligible neighborhood. A discussion follows focusing on potential projects or project types for each neighborhood. In addition, the City of Portland may conduct District meetings to gather feedback from its citizens. Housing and Community Development issues may be discussed at these meetings as well. Advertisement and outreach for these meetings are provided by press releases, mailings, ads in local newspapers, email list-serves from neighborhood organizations public housing residents, and interested citizens.

d. City of Portland Website and Social Networking Sites

The City of Portland's website provides up to date information on the Community Development Block Grant and HOME Program. The CDBG application, process, dates and additional information is listed and updated regularly on the website. The current Citizen Participation Plan, Consolidated Plan, Consolidated Annual Performance and Evaluation Reports, and Annual Action Plans are available on the web site all year.

In order to reach a broader and younger audience, the City of Portland may also utilize internet social networking sites to provide important information on the funding resources available to the residents of Portland.

e. Island and Neighborhood Service Administrator

The City of Portland's Island and Neighborhood Services Administrator is a resource that the residents and neighborhood organizations can contact regarding information about CDBG or other City needs. This position operates as a conduit between residents or neighborhood organizations and the appropriate City Department. Information is also shared with the City Councilors so they are aware of the concerns of their constituents. The transmission of information occurs through phone calls, emails, and during monthly meetings with neighborhood organizations throughout the City and especially in the eligible neighborhoods, where neighborhood organizations are very active and engaged in City processes. This position also serves as the program's fair hearing officer.

f. Public Hearing

In addition to the public hearings at the CDBG neighborhood meetings and District meetings, the City holds a minimum of two public hearings each year to obtain citizen input and comments on the Consolidated Plan and the Annual Action Plan. These hearings are typically held in March or April, prior to the City Council's adoption of the both the Consolidated Plan and for the Annual Action Plan. The City notifies the general public of the time and dates of the hearing by placing a legal advertisement in the local daily paper prior to the date of the hearing. The notice contains at

a minimum the amount of assistance the City expects to receive (including grant funds and program income); the range of activities that may be undertaken; the estimated amount of funding that will benefit persons of low- and moderate-income; and the City's plans to minimize displacement of persons and to assist any persons displaced,; and when and how the City will make this information available. The City also notifies public agencies, organizations and other stakeholders through email or mail 7-10 days prior to the hearing. Information is also always posted on the City of Portland's website. Additional meetings are also held throughout the year with the City Council and the Housing and Community Development Committee to discuss ongoing issues or annual updates to Portland's CDBG program.

g. Continuing Outreach

The City of Portland is dedicated to engaging all members of the community regardless of race, color, religion, sex, sexual orientation, national origin or citizenship status, age, disability, or veteran's status. The City provides reasonable accommodations to qualified individuals with disabilities or those seeking translation services upon request.

Prior to adoption of the Five Year Consolidated Plan, the City will make available to citizens, public agencies and other interested parties a summary of the plan published in a local newspaper and the web site that contains information regarding the purpose and process for developing the Plan, the anticipated funding to be received and the range of activities that are eligible and planned to be undertaken, and the locations where copies of the Plan are available. The City will always provide free a reasonable amount of free hard copies of the Plan to anyone who requests one.

The City will use many of the same mechanisms described in the previous section to provide access to this information. The City will also take the following steps to provide access to information on the Plan:

1. Publish a summary of the proposed Consolidated Plan in the local newspaper, for a 30-day public comment period, 30days for each Annual Action Plan.
2. Make the proposed Consolidated Plan, Consolidated Annual Performance and Evaluation Report, and Annual Action Plans available for review on the City of Portland's website and at City Hall in the Housing and Community Development Office, Room 312.
3. Conduct a 30-day public comment period to receive comments from citizens, public organizations, other interested parties and stakeholders. The 30-day comment period will be advertised in the Portland newspaper prior to its commencement. Translation services for non-English speaking persons will be made available as requested. A 30 -day public comment period will be held for each subsequent Annual Action Plan and Consolidated Annual Performance and Evaluation Report.
4. Citizens, public agencies and other interested parties will also have access to records relating to the City's Consolidated Plan, proposed activities and the use of funding over the previous five years. Records are available at the Housing and Neighborhood Service, Room 312 City Hall, 389 Congress Street. Translation services for non-English speaking

persons will be made available as requested. It is the City's policy to provide any and all reasonable accommodations for its disabled or non-English speaking citizens to access any materials, presentations, or locations relative to City programs. The City is fully prepared to provide translation services for the Plan and all programs subject to this Plan. For example, last year at the request of a citizen we had the housing rehab program translated into Cantonese. Reasonable accommodations also include a format accessible to persons with disabilities, upon request (e.g., providing oral, Braille, electronic, or large print copies for the visually impaired; and delivering copies to the homebound.

h. Technical Assistance

The City's Department of Planning and Urban Development (HCD Division) offers technical assistance to any organization, agency or individual serving or interested in serving low income neighborhoods and persons for the purpose of developing proposals to request funding under Housing and Community Development programs and activities. The Housing and Community Development Program Manager spends a considerable amount of time providing Technical Assistance to applicants and currently funded programs. Technical assistance is available upon request from the Department at City Hall, Room 312, 389 Congress Street, or by calling 874-8731.

i. Comments and Complaints

The City considers all comments, whether received in writing or orally, during the development of the Consolidated Housing and Community Development Plan and related Annual Action Plans and Consolidated Annual Performance and Evaluation Reports. A summary of the comments received in the preparation of the Plan, will be attached to the final Consolidated Plan, Annual Action Plan, amendment to the Plan or Performance Report.

The City responds to all complaints regarding the Consolidated Plan, or activities implemented under the Plan, in writing within 15 working days of receiving said complaints where feasible. Responses are substantive, where appropriate. If a complainant remains unsatisfied, staff brings the complaint to the City Manager for review and resolution. If warranted, the City Manager may refer the complaint to the City Council for review and resolution. All comments and complaints should be directed either in writing or orally to the City's Housing and Community Development Program Manager (207)874-8731, City Hall, Room 312, 389 Congress Street, Portland, ME 04101 or the Director of Housing and Community Development (207)874-8711, City Hall, Room 312, 389 Congress Street, Portland, ME 04101.

j. Amendments to the Consolidated Housing and Community Development Plan

Due to changes in local needs during the program year, amendments and revisions to the Consolidated Plan may be necessary. Some of them may be substantial amendments that significantly alter the priorities of the 5-year strategy and the activities within the Annual Plan. Most will be minor in nature, requiring only insignificant shifting of funds from one account to another in order to complete an approved activity. This may include the reprogramming of contingency or surplus funds. The following criteria will govern how the City implements substantial amendments and funding revisions.

A) Minor amendments. Unless a change qualifies as a substantial amendment (see below) the City Manager or his/her designee will amend the City's approved plan whenever one of the following decisions is made:

- (1) To make a change in its allocation priorities or a change in the method of distribution of funds;
- (2) To carry out an activity, using funds from any program covered by the consolidated plan (including program income), not previously described in the action plan; or
- (3) To change the purpose, scope, location, or beneficiaries of an activity.

Each amendment must be authorized by the City Manager or his designee, and submitted to HUD. All amendments will also be made public by posting on the City of Portland's website, and made available during business hours in the Department of Planning and Urban Development (Division of Housing and Community Development) City Hall, Room 312. Additionally, members of the public may request a copy of any proposed substantial amendment via email request to the City's CDBG Program Manager. The amendment may be implemented immediately after submitting it to HUD and making it public.

B) Substantial amendment. A substantial amendment to the Consolidated Plan or Annual Action Plan is defined by the City as a transfer of funds between two or more approved Plan activities that is greater than 50% of that year's annual allocation of ESG program funds, 10% of that year's annual allocation of HOME program funds, and 5% of that year's annual allocation of the CDBG program funds.

Substantial amendments to the Plan will be presented to the Portland City Council for its review and approval. This meeting will be advertised as a City Council action; open to the public; provide opportunity for public comment in writing or orally on the proposed substantial amendment. The public will be notified of all substantial amendments by an advertisement of the proposed amendment in a local newspaper, and posting on the City's web site. The advertising of the substantial amendment will begin a thirty (30) day citizen review and comment period. The City will consider any comments or views of citizens received in writing or orally during the comment period. The City Manager will submit to HUD a letter authorizing the amendment after the thirty-day comment period and City Council approval, and will implement the amendment at that time.

C) Funding revisions are defined as minor programmatic or budgeting changes necessary to fund new activities or secure adequate funding to complete approved activities. For this purpose, a "new activity" is defined as a project or projects not originally submitted for funding during that year's CDBG program application process. Funding revisions will be addressed in the following ways.

- a. Any new activities proposed to be funded in an amount less than the substantial amendment thresholds stated above, with either reprogrammed contingency, unallocated



funds, additional funds allocated by HUD, or with monies from another account will require approval from the City Manager.

- b. Any fund transfer from one approved activity to another in an amount less than the substantial amendment thresholds stated above, but in an amount that increases the underfunded activity *in excess of 25%* of the original allocation shall be approved by the Director of Planning and Urban Development.
- c. Any fund transfer from one approved activity to another in an amount less than the substantial amendment thresholds stated above, but in an amount that increases the underfunded activity *less than 25%* of the original allocation shall be approved by the Department's Housing and Community Development Director.

## Appendix B

### §91.105 Citizen participation plan; local governments.

(a) *Applicability and adoption of the citizen participation plan.* (1) The jurisdiction is required to adopt a citizen participation plan that sets forth the jurisdiction's policies and procedures for citizen participation. (Where a jurisdiction, before February 6, 1995, adopted a citizen participation plan that complies with section 104(a)(3) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(A)(3)) but will need to amend the citizen participation plan to comply with provisions of this section, the citizen participation plan shall be amended by the first day of the jurisdiction's program year that begins on or after 180 days following February 6, 1995.)

(2) *Encouragement of citizen participation.* (i) The citizen participation plan must provide for and encourage citizens to participate in the development of any consolidated plan, any substantial amendment to the consolidated plan, and the performance report. These requirements are designed especially to encourage participation by low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, and by residents of predominantly low- and moderate-income neighborhoods, as defined by the jurisdiction. A jurisdiction is also expected to take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

(ii) The jurisdiction shall encourage the participation of 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 and implementing the consolidated plan.

(iii) The jurisdiction shall encourage, in conjunction with consultation with public housing agencies, the participation of residents of public and assisted housing developments, in the process of developing and implementing the consolidated plan, along with other low-income residents of targeted revitalization areas in which the developments are located. The jurisdictions shall make an effort to provide information to the public housing agency (PHA) about consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing required for the PHA Plan.

(iv) The jurisdiction should explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance; *e.g.*, use of focus groups and the Internet.

(3) *Citizen comment on the citizen participation plan and amendments.* The jurisdiction must provide citizens with a reasonable opportunity to comment on the original citizen participation plan and on substantial amendments to the citizen participation plan, and must

make the citizen participation plan public. The citizen participation plan must be in a format accessible to persons with disabilities, upon request.

(b) *Development of the consolidated plan.* The citizen participation plan must include the following minimum requirements for the development of the consolidated plan.

(1) The citizen participation plan must require that, before the jurisdiction adopts a consolidated plan, the jurisdiction will make available to citizens, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income. The citizen participation plan also must set forth the jurisdiction's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the jurisdiction will make available (or require others to make available) to persons displaced, even if the jurisdiction expects no displacement to occur. The citizen participation plan must state when and how the jurisdiction will make this information available.

(2) The citizen participation plan must require the jurisdiction to publish the proposed consolidated plan in a manner that affords citizens, public agencies, and other interested parties a reasonable opportunity to examine its contents and to submit comments. The citizen participation plan must set forth how the jurisdiction will publish the proposed consolidated plan and give reasonable opportunity to examine the contents of the proposed consolidated plan. The requirement for publishing may be met by publishing a summary of the proposed consolidated plan in one or more newspapers of general circulation, and by making copies of the proposed consolidated plan available at libraries, government offices, and public places. The summary must describe the contents and purpose of the consolidated plan, and must include a list of the locations where copies of the entire proposed consolidated plan may be examined. In addition, the jurisdiction must provide a reasonable number of free copies of the plan to citizens and groups that request it.

(3) The citizen participation plan must provide for at least one public hearing during the development of the consolidated plan. See paragraph (e) of this section for public hearing requirements, generally.

(4) The citizen participation plan must provide a period, not less than 30 days, to receive comments from citizens on the consolidated plan.

(5) The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the final consolidated plan.

(c) *Amendments—(1) Criteria for amendment to consolidated plan.* The citizen participation plan must specify the criteria the jurisdiction will use for determining what changes in the jurisdiction's planned or actual activities constitute a substantial amendment to the

consolidated plan. (See §91.505.) It must include among the criteria for a substantial amendment changes in the use of CDBG funds from one eligible activity to another.

(2) The citizen participation plan must provide citizens with reasonable notice and an opportunity to comment on substantial amendments. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, not less than 30 days, to receive comments on the substantial amendment before the amendment is implemented.

(3) The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at public hearings, if any, in preparing the substantial amendment of the consolidated plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, shall be attached to the substantial amendment of the consolidated plan.

(d) *Performance reports.* (1) The citizen participation plan must provide citizens with reasonable notice and an opportunity to comment on performance reports. The citizen participation plan must state how reasonable notice and an opportunity to comment will be given. The citizen participation plan must provide a period, not less than 15 days, to receive comments on the performance report that is to be submitted to HUD before its submission.

(2) The citizen participation plan shall require the jurisdiction to consider any comments or views of citizens received in writing, or orally at public hearings in preparing the performance report. A summary of these comments or views shall be attached to the performance report.

(e) *Public hearings.* (1) The citizen participation plan must provide for at least two public hearings per year to obtain citizens' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings must address housing and community development needs, development of proposed activities, and review of program performance. To obtain the views of citizens on housing and community development needs, including priority nonhousing community development needs, the citizen participation plan must provide that at least one of these hearings is held before the proposed consolidated plan is published for comment.

(2) The citizen participation plan must state how and when adequate advance notice will be given to citizens of each hearing, with sufficient information published about the subject of the hearing to permit informed comment. (Publishing small print notices in the newspaper a few days before the hearing does not constitute adequate notice. Although HUD is not specifying the length of notice required, it would consider two weeks adequate.)

(3) The citizen participation plan must provide that hearings be held at times and locations convenient to potential and actual beneficiaries, and with accommodation for persons with disabilities. The citizen participation plan must specify how it will meet these requirements.

(4) The citizen participation plan must identify how the needs of non-English speaking residents will be met in the case of public hearings where a significant number of non-English speaking residents can be reasonably expected to participate.

(f) *Meetings.* The citizen participation plan must provide citizens with reasonable and timely access to local meetings.

(g) *Availability to the public.* The citizen participation plan must provide that the consolidated plan as adopted, substantial amendments, and the performance report will be available to the public, including the availability of materials in a form accessible to persons with disabilities, upon request. The citizen participation plan must state how these documents will be available to the public.

(h) *Access to records.* The citizen participation plan must require the jurisdiction to provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the jurisdiction's consolidated plan and the jurisdiction's use of assistance under the programs covered by this part during the preceding five years.

(i) *Technical assistance.* The citizen participation plan must provide for technical assistance to groups 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 consolidated plan, with the level and type of assistance determined by the jurisdiction. The assistance need not include the provision of funds to the groups.

(j) *Complaints.* The citizen participation plan shall describe the jurisdiction's appropriate and practicable procedures to handle complaints from citizens related to the consolidated plan, amendments, and performance report. At a minimum, the citizen participation plan shall require that the jurisdiction must provide a timely, substantive written response to every written citizen complaint, within an established period of time (within 15 working days, where practicable, if the jurisdiction is a CDBG grant recipient).

(k) *Use of citizen participation plan.* The jurisdiction must follow its citizen participation plan.

(l) *Jurisdiction responsibility.* The requirements for citizen participation do not restrict the responsibility or authority of the jurisdiction for the development and execution of its consolidated plan.

(Approved by the Office of Management and Budget under control number 2506-0117)

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