

Guide for Completeness Review of Local Government Citizen Participation Plan			
Name of Program Participant: City of Portland			
Staff Consulted: Mary Davis			
Date Plan Was Adopted or Last Amended: July 15, 2013			
Name(s) of Reviewer(s):	Paula Newcomb	Date:	July 29, 2013

NOTE: All questions that address requirements contain the citation for the source of the requirement (statute, regulation, NOFA, or grant agreement). If the requirement is not met, HUD must make a finding of noncompliance. All other questions (questions that do not contain the citation for the requirement) do not address requirements, but are included to assist the reviewer in understanding the participant's program more fully and/or to identify issues that, if not properly addressed, could result in deficient performance. Negative conclusions to these questions may result in a "concern" being raised, but not a "**finding**."

Instructions: This Exhibit is designed to review the local government's compliance with the Citizen Participation Plan requirements per the Consolidated Plan regulations at 24 CFR Part 91, Subpart B. This review may be used to review both individual local government and consortium Plans. The Exhibit is divided into seven sections: General Aspects of the Citizen Participation Plan; Development of the Citizen Participation Plan and Any Amendments; Development of the Consolidated Plan; Consolidated Plan Amendments; Performance Reports; Public Hearings; and Miscellaneous Citizen Participation Requirements.

Questions:

A. GENERAL ASPECTS OF THE CITIZEN PARTICIPATION PLAN

1.

Does the local government have a Citizen Participation Plan? [24 CFR 91.105(a)(1)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: Review of City of Portland, Maine Citizen Participation Plan, dated July 15, 2013		

2.

Was the Plan adopted by the local government? [24 CFR 91.105(a)(1)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Describe Basis for Conclusion: Document dated July 15, 2013		

B. DEVELOPMENT OF THE CITIZEN PARTICIPATION PLAN AND ANY AMENDMENTS

3.

Did the local government provide citizens an opportunity to comment on the original Citizen Participation Plan and on substantial amendments to it? [24 CFR 91.105(a)(3)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: Advertised hearing at City Council - need copy of advertisement	

4.

a. Are specific, appropriate actions described in the Citizen Participation Plan to encourage participation by minorities, non-English speaking persons, and persons with disabilities? [24 CFR 91.105(a)(2)(ii)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Review of submitted document indicates the following within g. Continuing Outreach 1. ...'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....." The plan does not specifically state how an individual would request such translation services or reasonable accommodation. Review of the City's website does not indicate any documents in alternative formats or languages http://www.portlandmaine.gov/planning/commdev.asp and no contact information for those needing more information is provided in alternative formats or languages. The availability of TTY for hearing impaired is not noted.	
b. Is the local government prepared to provide the Citizen Participation Plan in 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)? [Note: If the Plan is available online, its format must be compatible with web readers for the visually impaired, as required by 24 CFR Part 8.]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Not addressed specifically – see above	

5.

a. Does the Citizen Participation Plan 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	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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residents of predominantly low- and moderate- income neighborhoods? (If “yes,” describe how in response below.) [24 CFR 91.105(a)(2)(ii)]	
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Describe Basis for Conclusion:
 Plan discusses Neighborhood Meetings and District meetings in the City’s Low-Moderate income eligible neighborhoods.

b. Does the Plan include a definition of residents of “predominantly low- and moderate-income neighborhoods?” [24 CFR 91.105(a)(2)(ii)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Describe Basis for Conclusion:
 Section C. describes ... “neighborhoods by Census Tract Block Groups that are populated over 51% by persons or families below 80% of the Area Median Income.”

6.

Does the Plan provide for and encourage citizens to participate in the development of the Consolidated Plan? [24 CFR 91.105(a)(2)(i)]	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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Describe Basis for Conclusion:
 Review of public process discussed in detail in the Citizen Participation Plan.

7.

Does the Citizen Participation Plan encourage the participation of local and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) in the process of developing and implementing the Consolidated Plan? [24 CFR 91.105(a)(2)(ii)]	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Describe Basis for Conclusion:
 Not specifically noted except distribution to “public agencies”

8.

Does the Plan encourage participation by residents of public and assisted housing and by other low- income residents of targeted revitalization areas in which public and assisted housing is located in developing and implementing the Consolidated Plan? [24 CFR 91.105(a)(2)(iii)]	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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Describe Basis for Conclusion:
 Not specifically noted

9.

Is the opportunity to comment on the original Citizen Participation Plan and on substantial amendments to this Plan not clearly unreasonable? (A “no” conclusion would be the basis of the finding that the local government did not provide a reasonable opportunity to comment.) [24 CFR 91.105(a)(3)]	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Plan provides for adequate notice – 30 days		

10.

Is the Citizen Participation Plan made available to the public? (If “yes,” describe how in response below.) [24 CFR 91.105(a)(3)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: On the City’s website with a summary published in the newspaper, at City Hall and in the HCD office in City Hall.	

C. DEVELOPMENT OF THE CONSOLIDATED PLAN

11.

Does the Citizen Participation Plan require that, before the local government adopts a Consolidated Plan, the local government will make available to citizens, public agencies, and other interested parties information that includes: <ul style="list-style-type: none"> • the amount of assistance the local government 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; • the local government's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the local government will make available (or require others to make available) to persons displaced, even if the local government expects no displacement to occur; and • when and how the local government will make this information available? [24 CFR 91.105(b)(1)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: Section f. Public Hearing	

12.

a. Does the Citizen Participation Plan describe how the local government will publish the proposed Consolidated Plan in a manner that affords citizens, public agencies, and other interested parties an opportunity to examine its contents and to submit comments? [24 CFR 91.105(b)(2)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion:	

Section f. Public Hearing

b. Does the Citizen Participation Plan require the local government to:

- publish the entire Consolidated Plan, OR
- published a summary of the proposed Consolidated Plan in one or more newspapers of general circulation in conjunction with distribution of copies of the proposed consolidated plan to libraries, government offices, and public places?

[24 CFR 91.105(b)(2)]

Describe Basis for Conclusion:
Publish a summary in newspaper and on City’s website. Copies available in City Hall, but libraries not noted.

13.

<p>If the Citizen Participation Plan states the local government will publish a summary of the proposed Consolidated Plan, does the Citizen Participation Plan require the summary to include:</p> <ul style="list-style-type: none"> • a description of the contents and purpose of the Consolidated Plan; and • a list of the locations where copies of the entire proposed Consolidated Plan may be examined? <p>[24 CFR 91.105(b)(2)]</p>	<table> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes	No	N/A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>					
Yes	No	N/A					

Describe Basis for Conclusion:
g. Continuing Outreach does not note that the summary will list all of the locations where copies of the entire proposed Consolidated Plan may be examined. Public Notice in Annual Action Plan says only that any questions can be directed to a telephone number.

14.

<p>Does the Citizen Participation Plan state that the local government will provide a reasonable number of free copies of the Consolidated Plan to citizens and groups that request it?</p> <p>[24 CFR 91.105(b)(2)]</p>	<table> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> <tr> <td>Yes</td> <td>No</td> </tr> </table>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Yes	No
<input checked="" type="checkbox"/>	<input type="checkbox"/>				
Yes	No				

Describe Basis for Conclusion:
g. Continuing Outreach

15.

Does the Citizen Participation Plan provide for at least one public hearing during the development of the Consolidated Plan? [24 CFR 91.105(b)(3)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: f. Public Hearing	

16.

Does the Citizen Participation Plan provide a period of not less than 30 days to receive comments from citizens on the Consolidated Plan? [24 CFR 91.105(b)(4)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: g. Continuing Outreach, 1.	

17.

Does the Citizen Participation Plan specify that the local government consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the final Consolidated Plan? [24 CFR 91.105(b)(5)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: i. Comments and Complaints	

D. CONSOLIDATED PLAN AMENDMENTS

18.

Does the Plan provide for and encourage citizens to participate in the development of any substantial amendments to the Consolidated Plan? [24 CFR 91.105(a)(2)(i)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: Section j. A) Minor Amendments and B) Substantial Amendments	

19.

Exhibit 19-1
Citizen Participation Plan

<p>a. Does the Citizen Participation Plan specify the criteria the local government will use for determining what changes in the local government's planned or actual activities constitute a substantial amendment to the Consolidated Plan? [24 CFR 91.105(c)(1)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/> Yes No</p>
<p>Describe Basis for Conclusion: Section j. A) Minor Amendments and B) Substantial Amendments</p>	

<p>b. For <u>CDBG entitlements only</u>: do the criteria for a substantial amendment include changes in the use of CDBG funds from one eligible activity to another? [24 CFR 91.105(c)(1)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A</p>
<p>Describe Basis for Conclusion: Section j. A) Minor Amendments and B) Substantial Amendments</p>	

20.

<p>a. Does the Citizen Participation Plan state that citizens will be given notice and an opportunity to comment on substantial amendments to the Consolidated Plan and state how they will be given notice? [24 CFR 91.105(c)(2)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/> Yes No</p>
<p>Describe Basis for Conclusion: Section j. A) Minor Amendments and B) Substantial Amendments</p>	
<p>b. Does the Citizen Participation Plan provide a period of not less than 30 days to receive comments on any substantial amendments to the Consolidated Plan before such amendments are implemented? [24 CFR 91.105(c)(2)]</p>	<p><input checked="" type="checkbox"/> <input type="checkbox"/> Yes No</p>
<p>Describe Basis for Conclusion:</p>	

Section j. A) Minor Amendments and B) Substantial Amendments

21.

Does the Citizen Participation Plan specify that the local government consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing substantial amendments to the Consolidated Plan? [24 CFR 91.105(c)(3)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: Section j. A) Minor Amendments and B) Substantial Amendments	

E. PERFORMANCE REPORTS

22.

Does the Plan provide for and encourage citizens to participate in the development of the Consolidated Annual Performance and Evaluation Report? [24 CFR 91.105(a)(2)(i)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Section g. Continuing Outreach 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.....” This section is vague and buried in the plan. The CAPER process should be called out up front.	

23.

Does the Citizen Participation Plan state that citizens will be given notice and an opportunity to comment on performance reports and state how they will be given notice? [24 CFR 91.105(d)(1)]	<input type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion:	

Section g. Continuing Outreach 3. Refers to a 30-day public comment period, but it is not clear that it relates to the CAPER

24.

Does the Citizen Participation Plan provide for a period of not less than 15 days to receive comments on performance reports before the reports are submitted to HUD? [24 CFR 91.105(d)(1)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: f. Public Meeting notes 7-10 days	

25.

Does the Citizen Participation Plan specify that the local government consider any comments or views of citizens received in writing, or orally at the public hearings, in preparing the Consolidated Annual Performance and Evaluation Report? [24 CFR 91.105(d)(2)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Not clear	

F. PUBLIC HEARINGS

26.

Does the Citizen Participation Plan provide for at least two public hearings per year to obtain citizens' views and to respond to proposals and questions? [24 CFR 91.105(e)(1)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: f. Public Hearing	

27.

a. With respect to timing, are the public hearings conducted at a minimum of two different stages of the program year? [24 CFR 91.105(e)(1)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: This should be made clearer.	

b. Does the Citizen Participation Plan provide for at least one of these hearings to be held before the proposed Consolidated Plan is published for comment? [24 CFR 91.105(e)(1)]	<input type="checkbox"/> <input checked="" type="checkbox"/> Yes No
Describe Basis for Conclusion: This is not clear	

28.

Do the public hearings, together, address: a. housing and community development needs, b. development of proposed activities, and c. review of program performance? [24 CFR 91.105(e)(1)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion:	

29.

Does the Citizen Participation Plan state how and when adequate notice will be given to citizens of each public hearing? [24 CFR 91.105(e)(2)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: f. Public Hearing	

30.

Does the local government publish sufficient information about the subject of the public hearing to permit informed comment? (Note: Publishing small print notices in the newspaper a few days before the hearing does not constitute adequate notice. Although HUD does not specify the length of notice required, two weeks is considered adequate.) [24 CFR 91.105(e)(2)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: Also published on the City's Website and in City Council notices.	

31.

a. Does the Citizen Participation Plan provide that public hearings be held at times and locations convenient to potential and actual beneficiaries? [24 CFR 91.105(e)(3)]	<input type="checkbox"/> <input checked="" type="checkbox"/> Yes No
Describe Basis for Conclusion: CDBG Neighborhood Meetings and District Meetings are held to describe the plan. Times and locations not addressed.	

b. Does the Citizen Participation Plan provide that hearings be held with accommodation for persons with disabilities? [24 CFR 91.105(e)(3)]	<input type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: Review of submitted document indicates the following within g. Continuing Outreach 1. ...”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.” Specific process to request such accommodation not noted	

c. Does the Citizen Participation Plan describe how the local government will meet the requirements of “a” and “b” above? [24 CFR 91.105(e)(3)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Needs additional detail	

32.

Does the Citizen Participation Plan 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)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe Basis for Conclusion: Review of submitted document indicates the following within g. Continuing Outreach 1. ...”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.” Specific process to request such accommodation not noted	

G. MISCELLANEOUS CITIZEN PARTICIPATION REQUIREMENTS

33.

Does the Citizen Participation Plan provide citizens with reasonable and timely access to local meetings? [24 CFR 91.105(f)]	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe Basis for Conclusion: Public Hearing notice	

34.

a. Does the Citizen Participation Plan 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? [24 CFR 91.105(g)]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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Describe Basis for Conclusion:
 Review of submitted document indicates the following within g. Continuing Outreach 1. ...”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.” Specific process to request such accommodation not noted

b. Does the Citizen Participation Plan state how the documents identified in “a” above will be available to the public? [24 CFR 91.105(g)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Yes	No

Describe Basis for Conclusion:
 Publish a summary in newspaper and on City’s website. Copies available in City Hall, but libraries not noted.

35.

Does the Citizen Participation Plan require the local government to provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the local government's Consolidated Plan and the local government's use of assistance under the programs covered in the Consolidated Plan during the preceding five years? [24 CFR 91.105(h)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Yes	No

Describe Basis for Conclusion:
 g. Continuing Outreach, 4.

36.

Does the Citizen Participation Plan provide for technical assistance to groups representative of persons of low- and moderate-income that request help in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan? (Note: The assistance need not include the provision of funds to the groups.) [24 CFR 91.105(i)]	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Yes	No

Describe Basis for Conclusion:
 h. Technical Assistance

37.

Does the Citizen Participation Plan describe the local government's appropriate and practicable procedures to handle complaints from citizens related to the Consolidated Plan, amendments, and the performance report which, at a minimum, require the local government to provide a timely, substantive written response to every written citizen complaint with an established period of time? [24 CFR 91.105(j)]	<input checked="" type="checkbox"/> <input type="checkbox"/> Yes No
Describe Basis for Conclusion: i. Comments and Complaints	

38.

For <u>CDBG entitlement grantees only</u> : is the specified time period “within 15 working days, where practicable?” [24 CFR 91.105(j)]	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> Yes No N/A
Describe Basis for Conclusion: i. Comments and Complaints	