



CITY OF CONCORD

**CITIZEN PARTICIPATION PLAN,  
LANGUAGE ASSISTANCE PLAN AND  
RESIDENTIAL ANTI-DISPLACEMENT &  
RELOCATION ASSISTANCE PLAN**

FOR THE

2015-20 CONSOLIDATED PLAN PERIOD

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

Approved July 25, 2017

# CITIZEN PARTICIPATION PLAN

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## GENERAL INFORMATION

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- A. Purpose of the Citizen Participation Plan (CPP):** The City of Concord's CPP is intended to provide for and encourage participation of all residents of Concord, particularly lower- and moderate-income persons, minorities, non-English speaking persons, and persons with disabilities. Through the Plan, the City hopes to obtain a broad perspective of housing and community development needs from citizens and organizations involved in affordable housing and community development activities.
- B. Requirements of the U.S. Department of Housing and Urban Development (HUD):** HUD requires all jurisdictions receiving HUD funding to develop and maintain a Citizen Participation Plan consistent with HUD Consolidated Plan rules 24 CFR Parts 91 and 570. The City of Concord receives an annual formula grant allocation of Community Development Block Grant (CDBG) funds from HUD.

Before utilizing these federal funds to address community needs, HUD requires that the City develop a five-year Consolidated Plan (ConPlan). The ConPlan establishes a unified vision for community development actions, sets forth Concord's policy for allocating investment of various resources among housing needs activities, is a statement of specific long-term and short-term community development objectives and priority non-housing community development needs, and is a strategy to be followed in carrying out HUD programs.

In order to more effectively and cooperatively plan for the housing and community development needs of the entire County, and reduce the cost of HUD compliance, all of the cities in the County that receive HUD CDBG funds created the Contra Costa CDBG/HOME Consortium. The Consortium consists of the cities of Antioch, Concord, Pittsburg, and Walnut Creek and the County of Contra Costa on behalf of all other cities and jurisdictions. The Consortium consults with a wide variety of public and private concerns during the development of various HUD planning documents. These include: public and private agencies that provide emergency housing for homeless, transitional and permanent supportive housing services; the Housing Authorities of Contra Costa County, Pittsburg and Richmond; nonprofit owners, developers and manager of low income and assisted housing for special needs populations; nonprofit organizations and faith-based communities, providers of health and social services; and developers that address infrastructure needs. The City of Concord also consults with participating Urban

County and other Consortium Cities, particularly concerning problems and solutions that go beyond a single jurisdiction.

The County acts as the lead agency for preparation of the five-year Consolidated Plan, AI and its replacement, the Assessment of Fair Housing (AFH). As these are co-created and shared Consortium documents, the City of Concord's Citizen Participation process is guided by and harmonious with the County's CPP, while ensuring that all Concord stakeholders receive access to information and public meetings that are detailed in the Concord CPP.

Beginning with the 2015-20 Consolidated Plan, Consortium members submit the Consolidated Plan and year one Annual Action Plan using the Consortium Consolidated Plan template in IDIS OnLine. The County is lead agency and members agree upon the date of the County's submission of all Action Plans and the ConPlan. However, Consortium jurisdictions still prepare the annual Consolidated Annual Performance and Evaluation Report (CAPER) independently and submit to HUD electronically through IDIS.

In addition to working collaboratively on the Consolidated Plan and AI/AFH, Consortium members also jointly issue a request for proposals and conduct a unified grant process twice per Con Plan period. The grant cycles for the 2015-20 ConPlan are FY 2015/16 and 2016/2017 (initial two year cycle), and the three-year cycle of FY 2017/18, 2018/2019, and 2019/2020. The Concord CPP is valid through these cycles and until modified.

- C. Oversight of the CDBG and other HUD-funded programs:** The City's Community and Economic Development Department staff have the responsibility for administration of the CDBG program, Consolidated Plan and Fair Housing planning processes, which includes all activities related to development and dissemination of ConPlan, AI, AFH, Annual Action Plans, Consolidated Annual Performance Evaluation Reports (CAPER), as well as the CPP, Language Assistance Plan, Residential Anti-Displacement and Relocation Assistance Plan, and any other plans that HUD may require.

Additional information may be obtained from the following:

Brenda Kain  
Housing Manager  
1950 Parkside Drive  
Concord, CA 94519  
(925) 671-3088  
brenda.kain@cityofconcord.org

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Concord, CA 94519  
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## I. CITIZEN PARTICIPATION PLAN GOALS

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The five major goals of the City citizen participation process are as follows:

1. To provide citizens with adequate and timely information about the range of activities that may be undertaken through its CDBG program (“Program”), the kinds of activities previously funded in the City, the level of funding available to carry out these activities, and the estimated amount of funds that will benefit very low- and low-income persons;
2. To provide and encourage an appropriate means to ensure public participation, especially the involvement of very low and low-income residents most likely to be affected by the Programs and to provide reasonable efforts to ensure continuity of involvement of citizens or citizen organizations throughout all stages of the Programs.
3. To provide citizens with an adequate opportunity to articulate needs, express preferences about proposed activities, assist in the selection of priorities, and the development of the Programs, the AFH, the 5-Year Consolidated Plan (ConPlan), the Annual Action Plan, and the CAPER;
4. To provide citizens with the opportunity to assess and submit comments on all aspects of program performance; and
5. To conduct meetings and respond to information requests in a manner consistent with the Ralph M. Brown Act and California Public Records Act.

## II. PROCESS

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The City, in its citizen participation process, has instituted a variety of activities to accomplish the above-stated goals:

### A. Assessment of Fair Housing (AFH)

The City will partner with the Consortium members to prepare a proposed five-year AFH, and present it in a public meeting held by the Concord City Council. This AFH will assist the City through incorporation of the purposes and policies of the Fair Housing Act in its planning processes. The Fair Housing Act prohibits discrimination and mandates that HUD funded programs and participants “take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice and foster inclusive communities that are free from discrimination,” per Affirmatively Furthering Fair Housing rules and regulations.

The following general steps will be followed in developing the AFH:

1. At least one citizen/community and/or focus group meeting will be held in the City, and other meetings held throughout the County where Concord residents work. The citizen/community/focus group meetings may be held in conjunction with the 5-Year Consolidated Plan process described below in Section II.B.

At these citizen/community/focus group meetings, citizens are encouraged to participate in the development and any revisions to the AFH, particularly participation by low- and moderate-income persons and by residents of predominately very-low and low-income neighborhoods, as may be defined by HUD and/or the City. City staff shall take appropriate action to encourage all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities, to participate.

2. City shall encourage the participation of local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, nonprofits, philanthropic organizations and communities-based and faith-based organizations) during the development and implementation of the AFH.
3. City, through Consortium members which have public housing agencies (PHAs), shall encourage participation with PHA and residents of public housing and assisted housing developments, resident advisory boards, resident councils and resident management corporations, along with other low-income residents of targeted revitalization areas in which the developments are located, during the development of the AFH. City shall make an effort to provide information regarding the AFH, Affirmatively Furthering Fair Housing strategy activities related to its developments and any surrounding communities so that the PHA may make this information available at the annual public meeting(s) for the PHA Plan.
4. City shall take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English speaking residents of the community. The City assesses language needs through its Language Access Plan (LAP) and its four-factor analysis, which considers: a) the number of or proportion of LEP persons served or encountered in the eligible service population; b) the frequency with which LEP persons come into contact with the program; c) the nature and importance of the program; and, d) the resources available and costs to the City.
5. As soon as feasible following the start of the public participation process, City shall make the HUD-provided data available and any other supplemental information City plans to incorporate into its AFH available to its residents, public agencies and other interested parties. City may make the HUD-provided data available to the public by cross-referencing to the data on HUD's web site.

6. A notice of the Draft AFH and summary of the contents shall be published by the Consortium lead in a newspaper of general circulation and posted to County DCD's website and the City of Concord website at least thirty (30) days prior to the date of the public meeting of the City Council. The notice will also announce the dates of the public meeting, and the date, time and address to send written public comments on the Draft AFH and the locations where a reasonable number of free copies of the proposed AFH may be obtained. The summary shall describe the content and purpose of AFH and include a list of libraries, government offices and public places where copies of the entire Draft AFH may be examined.
7. After a 30-day public comment period, Consortium members and City staff will consider any comments received in writing, or orally at the public meeting, and if necessary, make appropriate changes to the proposed AFH. A summary of these comments or views and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AFH.
8. The final AFH is sent to the U.S. Department of Housing and Urban Development. Copies of the final AFH are published on County DCD's web site, City's website, and a reasonable number of free copies are available to the public and in a form accessible to persons with disabilities, upon request.

**B. 5-Year Consolidated Plan (ConPlan)**

The City, in conjunction with the Consortium lead agency (County DCD), will develop a proposed Consortium ConPlan every five years (FY 2015/20, FY 2020/25, etc.) The City will present a proposed Consortium ConPlan for the allocation of the City's CDBG and other HUD resources at a public meeting of the City Council, where it will be considered for approval. The ConPlan must be completed in a timely manner for submission to HUD. The following steps will be followed in developing the ConPlan:

1. The first stage of ConPlan development is the analysis of the AFH and the determination of needs based upon input from the general public, neighborhood associations, and other interested parties. City staff will work with the Consortium lead to set a timetable with benchmarks to ensure that work on the ConPlan is accomplished in a timely manner.
2. During this process at least three citizen/community and/or focus group meetings will be held throughout the County, including at least one in Central County at a site easily accessible by Concord residents. Citizens are encouraged to discuss community needs in various areas such as affordable housing, economic development, infrastructure/public facilities, and public services. The discussions are structured to

identify unmet needs of very low- and low-income households that can be addressed through the Programs, and to identify appropriate projects and programs to meet those needs.

- a. Citizens are encouraged to participate in the development and any revisions to the ConPlan. Particularly, participation by low- and moderate-income persons, especially those persons living in predominately very-low and low-income neighborhoods, as may be defined by HUD and/or the City. City staff shall take appropriate action to encourage all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities, to participate.
  - b. City staff shall encourage the participation of local and regional institutions, Continuum of Care, and other organizations (including businesses, developers, nonprofits, philanthropic organizations and communities-based and faith-based organizations) during the development and implementation of the ConPlan.
  - c. City staff shall work with Consortium members that have PHAs to encourage participation with PHAs and residents of public housing and assisted housing developments, resident advisory boards, resident councils and resident management corporations, along with other low-income residents of targeted revitalization areas in which the developments are located, during the development of the Plan. City shall make an effort to provide information regarding the ConPlan activities related to its developments and any surrounding communities so that the PHA may make this information available at the annual public meeting(s) for the PHA Plan.
3. The second stage of ConPlan development is the review of all input. Consortium members will conduct a preliminary review to assess feasibility and eligibility. City staff shall then prepare a listing of the priority needs based on all input. City staff will use this listing to recommend a broad range of strategies by category based upon identified needs and input at public meetings and other forums.
  4. During the third stage of ConPlan development, City staff uses the data gathered from the second stage, plus historical funding data, to recommend the range of subprograms and the appropriate percentage of the estimated total funds to be allocated to each eligible subprogram (for example, public facilities and improvements, housing, public services, and economic development). This document becomes the Draft ConPlan. A notice announcing the availability of the Draft ConPlan for public review will be posted in a newspaper of general circulation at least thirty (30) days prior to the proposed City Council public meeting to consider the Draft ConPlan for approval. The Draft ConPlan will be available for review and public

comment for at least thirty (30) days prior to the proposed City Council meeting to consider the Draft ConPlan for approval.

5. Staff will consider any written comments received during the comment period or oral comments received during the City Council public meeting, and if necessary, make appropriate changes to the Draft ConPlan.
6. The final ConPlan is sent to HUD for approval. Copies of the final ConPlan are published on City's web site and a reasonable number of free copies are available to the public and in a form accessible to persons with disabilities, upon request.

### **C. Annual Action Plan**

As mentioned on page 2 of this document, the Contra Costa Consortium conducts a unified grant process twice per five-year ConPlan period. The first grant process cycle is for two years, and the second three year grant cycle concludes the 5-year Consolidated Plan period. The Annual Action Plan process outlined here (Steps 1 through 7) is for the first year of both multi-year grant cycles. All subsequent years typically do not release a Notice of Funding Availability (NOFA). In these years, agencies which were selected and funded during the NOFA year, and which performed satisfactorily, are invited to submit a renewal application and the process starts with Step 4 below.

1. The Annual Action Plan process begins with a Consortium-wide Notice of Funding Availability (NOFA) for CDBG, HOME, ESG, and HOPWA funds<sup>1</sup>. The NOFA is posted on County DCD's website, City website, distributed to County's interested parties list (which includes interested parties from all other jurisdictions), and published in the non-legal section of a newspaper of general circulation. The NOFA announces an annual public "Kickoff" meeting for the CDBG, HOME, ESG, and HOPWA funds. This meeting is designed to encourage very low- and low-income persons, members of minority groups, members of non-English speaking groups, and other residents to express their views and ideas of what they perceive as community development and housing needs in all areas of the County. The widely-publicized public meeting is held to advise residents and nonprofit organizations of program requirements and processes to be followed in developing and approving applications. Information about the amount of program funds to be available for housing and community development activities, and for planning and administrative activities is provided, if that information is available at that time. In addition, the range of activities that may be undertaken with these funds and the kinds of projects and

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1 Other funding from HUD or other sources may be included as it comes available.



programs previously funded are explained. The application, evaluation and approval process are also explained as well as the process timeline to facilitate citizen participation.

2. To facilitate the involvement of very low- and low-income persons, non-English speaking persons, and residents in areas most likely to be affected by the Programs, staff provides technical assistance in developing project proposals, upon request. Information and technical assistance is also provided to community organizations so they may adequately develop project proposals and participate in planning and assessing the Programs.
3. Additional public meetings may be held at various stages of the Annual Action Plan funding process. Meetings are scheduled at times and locations that permit broad participation by very low- and low-income persons. When needed or upon request, translators are made available for non-English speaking attendees and the hearing-impaired.
4. Once applications are received, they are reviewed by City personnel and the Community Services Commission (CSC). The CSC is a seven-member volunteer citizen body appointed by the City Council to a term of four years. It is composed of residents of Concord who hold no other municipal office in the City. Members are to be representative of the City's general public and its religious, racial, age, sex, disabled and ethnic groups. The CSC is charged with identifying housing, neighborhood and social services needs within the community; reviewing funding requests; and making funding recommendations to the City Council on the allocation of community grants for programs and project. The CSC's Evaluation Criteria is attached at **Appendix C**, and summarized as follows:
  - (a) Eligibility Criteria - Ability to meet the following: ConPlan Priority, Goal, National Objective, Eligible Activity Citation, Preliminary NEPA Determination. Data is collected on whether agency is a CBDO, new or existing subrecipient, the type of activity, whether services are delivered in the city, by phone or in another manner, and whether the agency has a facility in the city.
  - (b) Presentations – Each applicant is asked to make a five minute program presentation to the CSC, followed by a five to seven minute question and answer period.
  - (c) Evaluation Criteria – Application is evaluated in four different areas, utilizing 17 different criteria: Community Needs and Priorities (40 points), Benefits to Target Population (20 points); Organizational/Administrative Capacity (15 points); Partnerships and Collaboration (5 points), and Financial Review (20 points)

Recommendations of the CSC become the draft Action Plan prior to consideration of the Action Plan by City Council. Agencies who applied for funding are notified of the draft Action Plan, and their comment is invited.

5. A notice for the Draft Action Plan and summary of the available funding is then published in a newspaper of general circulation and posted to the City's website at least thirty (30) days prior to the City Council public meeting date to consider the Action Plan<sup>2</sup>. The notice outlines the dates of the public comment period and the date, time and address of the Council public meeting on the proposed Action Plan and the location where a reasonable number of free copies of the Draft Action Plan may be obtained. The Draft Action Plan is available for review and public comment for at least 30 days prior to the proposed City Council public meeting to consider the Draft Action Plan for approval, or for the amount of time specified in any HUD waiver that may reduce the public comment period.
6. Staff will consider any written comments received during the comment period or oral comments received during the City Council public meeting, and if necessary, make appropriate changes to the Draft Action Plan.
7. The final Action Plan is submitted to HUD for approval. Copies of the final Action Plan are published on City's web site and a reasonable number of free copies are available to the public and in a form accessible to persons with disabilities, upon request.

#### **D. Consolidated Annual Performance and Evaluation Report (CAPER)**

Every year, the City must submit to HUD the CAPER within 90 days of the close of the program year, by September 30th. In general, the CAPER describes how funds were actually spent and the extent to which these funds were used for activities that benefited very-low and low-income people. The purpose of the CAPER is to account for each CDBG and other HUD funded activity in each program year, until the project is "closed-out" in accordance with program requirements.

1. The CAPER will be made available for review and comment. Notice, public review, and public comments will be made in accordance with the following procedures:
  - a. City staff shall provide at least fifteen (15) days advance notice of and availability of a Draft CAPER before there is a public meeting regarding the CAPER. The

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<sup>2</sup> HUD may issue a Waiver to reduce the public comment period associated with various plans. This CPP will then be presumed to comply with any Waiver authority that HUD issues.

CAPER notice will be published in a non-legal section of an area newspaper of general circulation in addition to being posted on County DCD's website.

- b. A complete copy of the Draft CAPER will be made available to the public. Copies will also be made available at locations as indicated in this Citizen Participation Plan under Accessibility of Information.
- c. A City Council public meeting will be held to consider accepting the CAPER. Public comments will be accepted during a fifteen (15) day comment period prior to the City Council public meeting as described in the public notice.
- d. In preparing the CAPER for submission to HUD, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public meeting or submitted in writing. The Annual Performance Report sent to HUD will have a "public comment" section that presents all comments and staff explanations. [24 CFR 91.105(d)(2)]
- e. The final CAPER is submitted to HUD for approval.

### III. ACCESSIBILITY OF INFORMATION

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The following information will be available to the public at Concord City Hall, 1950 Parkside Drive, Concord, during normal working hours:

- a. All mailing and promotional materials.
- b. Records of public meetings.
- c. All key documents, including applications, letters of approval, performance reports, and any other reports required by HUD.
- d. Copies of the regulations and issuances governing the Programs.
- e. Explanation of important Program requirements, such as contracting and operations procedures, environmental policies, fair housing, and other equal opportunity requirements, and relocation provisions.
- f. A copy of the Citizen Participation Plan.
- g. Copies of each written comment or complaint about the Programs' performance, and a description of any actions taken and/or written response.

Copies of the ConPlan, Action Plan, and any Substantial Amendments shall also be made available at the Concord library. A summary of the public meetings, noticing, and publishing schedule is attached in Appendix A. A sample calendar is attached in Appendix B.

#### IV. SUBSTANTIAL AMENDMENTS TO THE CONSOLIDATED PLAN OR ACTION PLAN

If after the Consolidated Plan, AFH, or Action Plan has been submitted to HUD, changes are proposed in the use of Program funds (provided the proposed change in funding is greater than \$10,000 or 10 percent of a project's total allocation, whichever is greater) from one eligible activity to another, this shall constitute a Substantial Amendment. A change in project/program scope, location and/or beneficiaries will be considered a change in eligible activity. Citizens will be given reasonable notice and an opportunity to comment on Substantial Amendments made to the ConPlan, AFH, or Action Plan.

There will be a public review period of thirty (30) days during which written or verbal comments on the Substantial Amendment may be made before the City Council takes action on the amendment. A public notice will be published in the non-legal section of at least one local newspaper, and posted at City Hall, 1950 Parkside Drive, Concord, CA, thirty (30) days prior to the meeting. The notice shall describe the proposed amendment and provide the date for City Council action on the amendment. The notice will be made available in formats accessible to persons with disabilities, upon request. Any comments received will be presented to the City Council prior to their taking action. A summary of the comments will be attached to the Substantial amendment upon submission to HUD.

#### V. ELIGIBLE ACTIVITIES WITHIN CONPLAN

In the 2015/20 Consolidated Plan, the Concord City Council adopted the following goals for programs/projects funded with CDBG funds:

##### Affordable Housing

The 2015/20 Consolidated Plan establishes the following priorities for affordable housing programs and projects funded with CDBG funds:

Priority AH-1 Preservation: Maintain and preserve the affordable housing stock.

Priority AH-2 Code Enforcement: Maintain and preserve multi-family affordable housing stock.

##### Homelessness

Priority H-1 Shelter for Homeless Population: Assist the homeless and those at risk of becoming homeless by providing emergency, transitional and permanent affordable housing with appropriate supportive services.

Priority H-2 Services for the Homeless (non-shelter related): Reduce the incidence of homelessness and assist in alleviating the needs of the homeless.

### Non-housing Community Development

Priority CD-1 General Public Services: Ensure that opportunities and services are provided to improve the quality of life and independence for lower-income persons, and ensure access to programs that promote prevention and early intervention related to a variety of social concerns such as substance abuse, hunger and other issues.

Priority CD-2 Non-Homeless Special Needs: Ensure that opportunities and services are provided to improve the quality of life and independence for persons with special needs, such as the elderly and frail elderly, disabled persons, battered spouses, abused children, persons with HIV/AIDS, illiterate adults and migrant farmworkers

Priority CD-3 Youth: Increase opportunities for children/youth to be healthy, succeed in school and prepare for productive adulthood.

Priority CD-4 Fair Housing: Continue to promote fair housing activities and affirmatively further fair housing.

Priority CD-5 Economic Development: Reduce the number of persons with incomes below the poverty level, expand economic opportunities for very low- and low-income residents, and increase the viability of neighborhood commercial areas.

Priority CD-6 Infrastructure and Accessibility: Maintain quality public facilities and adequate infrastructure, and ensure access for the mobility-impaired by addressing physical access barriers to public facilities.

Priority CD-7 Infrastructure and Accessibility: Maintain quality public facilities and adequate infrastructure, and ensure access for the mobility-impaired by addressing physical access barriers to public facilities.

Priority CD-8 Administration/Planning: Support development of viable urban communities through extending and strengthening partnerships among all levels of government and the private sector, and administer federal grant programs in a fiscally prudent manner.

## VI. RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

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The City of Concord has established the Residential Anti-displacement and Relocation Assistance Plan to minimize displacement of persons or businesses as a result of projects funded with Program funds. This plan can be found on page 23 of this document.

## VII. COMPLAINT PROCESS

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Citizens have an opportunity to register complaints by letter, telephone, email, or in person directly to City staff at the following address: City of Concord, 1950 Parkside Drive, Concord CA 94519, by calling (925) 671-3088, or by emailing [brenda.kain@cityofconcord.org](mailto:brenda.kain@cityofconcord.org).

All written complaints will be answered in writing within 15 working days. Citizens are encouraged to initially register complaints by telephone, directly to the program staff involved in the relevant program, since oftentimes complaints can be resolved satisfactorily at this level. Staff will investigate complaints and respond as quickly as possible. Staff will respond in writing to all written citizen complaints within fifteen (15) working days of their receipt, where practicable.

Any citizen not satisfied by the response of City staff may request further review of their complaint by the Director of Community and Economic Development. The Director will respond in writing to all written complaints within thirty (30) working days of their receipt, where practicable.

Citizens may also file complaints directly to HUD. Per HUD procedures, HUD will forward the complaint to the Concord City Manager's Office. A copy of the letter accompanying the complaint will be sent to complainant. The City Manager's Office has fifteen (15) working days from the date of the HUD letter to respond directly to the complainant and must forward a copy of the response to HUD for their review.

All documentation including final disposition of the complaint will be retained by the City for a period of no less than three years from the date of disposition.

**1. 5-Year Consolidated Plan for Contra Costa Consortium (countywide)**

- (a) At least three citizen/community and/or focus group meetings throughout the County, one in the City of Concord.

Noticing: By invitation and published in non-legal section of at least one local newspaper of general circulation at least thirty (30) days prior to the first meeting.

Website: The notice is also posted on County DCD's website and the City of Concord website at: <http://www.cityofconcord.org>

- (b) City Council meeting to approve Consolidated Plan

Noticing: Published in the non-legal section of at least one local newspaper and posted at City offices, 1950 Parkside Drive, Concord, CA at least thirty (30) days prior to the date of the meeting. The notice includes a summary of the proposed plan.

Website: The notice is also posted on City's website at <http://www.cityofconcord.org>

- (c) Publishing: A copy of the Consolidated Plan will be made available at the Concord Public Library, located at 2900 Salvio Street, Concord, at the City Administration office, located at 1950 Parkside Drive, Concord, as well as on the City's website, at <http://www.cityofconcord.org>

**2. Annual Action Plan – 1st Year of Two-Year and Three-Year Funding Cycles**

- (a) Notice of funding availability (NOFA)

Noticing: Letters (regular U.S mail and/or email) are sent to interested party mailing list, maintained by the County as Consortium Lead Agency, and published in non-legal section of at least one local newspaper at least thirty (30) days prior to application due date.

- (b) At least two public meetings

- i. During development

Noticing: Letters (regular U.S mail and/or email) are sent to all CDBG applicants and meeting notice posted on the City's website and at Concord City Hall, 1950 Parkside Drive, Concord CA at least ninety-six (96) hours prior to the date of the meeting.

- ii. City Council Meeting to approve Action Plan

Noticing: A notice is published in the non-legal section of at least one local newspaper at least thirty (30) days prior to the date of the meeting, and the notice is also posted at Concord City Hall, 1950 Parkside Drive, Concord CA.

Website: The notice is also posted on City's website.

- (c) Publishing: A copy of the Action Plan will be made available at the Concord Public Library, located at 2900 Slavio Street, Concord, at the City Administration office, located at 1950 Parkside Drive, Concord, as well as on the City's website, at <http://www.cityofconcord.org>

**3. Substantial Amendment**

(a) At least one public meeting

i. City Council Meeting to approve Amendment

Noticing: Published in the non-legal section of at least one local newspaper and posted at City offices, located at 1950 Parkside Drive, Concord, CA at least thirty (30) days prior to the date of the meeting. The notice is also posted on City's website, <http://www.cityofconcord.org>

**4. Consolidated Annual Performance and Evaluation Report (CAPER)**

(a) City Council Meeting to approve CAPER

Noticing: Published in the non-legal section of at least one local newspaper and posted at City offices, located at 1950 Parkside Drive, Concord, CA at least fifteen (15) days prior to the date of the meeting. The notice is also posted on City's website at <http://www.cityofconcord.org>

(b) Publishing: A copy of the CAPER will be made available at the Concord Public Library, located at 2900 Salvio Street, Concord, at the City Administration office, located at 1950 Parkside Drive, Concord, as well as on the City's website, at <http://www.cityofconcord.org>



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APPENDIX B – SAMPLE CALENDAR

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September	Issue Request for Proposals (Funding Availability)
October/November	Conduct Funding Kickoff Meeting
December	Applications due
January/February/March	Applicant Presentations
March/April	Applications / Staff Recommendations considered by Community Services Commission
May	City Council review and approval of Action Plan Submit Action Plan to HUD
June	Subrecipient Meeting and Contract Negotiations
July	Start of new Fiscal Year
August	Program monitoring (ongoing through May) Public Notice of CAPER
September	CAPER submitted to HUD
October	Semi-annual labor standards report MBE/WBE Report

**APPENDIX C: APPLICATION ELIGIBILITY & EVALUATION CRITERIA**

#	Max Points	<b>FY 2017/20 Community Services Commission Evaluation Criteria</b>	Rating
<b>1</b>	<b>40</b>	<b>COMMUNITY NEEDS AND PRIORITIES</b>	
1.1	10	The specific population served by this program is clearly identified. (Section 2:A)	
1.2	10	The need, problem or issue addressed by this service has been clearly identified. (Section 2: C)	
1.3	10	The information supplied demonstrates how this service/activity will address, help or solve the need or issue. (Section 2:D)	
1.4	10	The information supplied clearly demonstrates that this service/activity is effective. (Section 2: E)	
<b>2</b>	<b>20</b>	<b>BENEFITS TO TARGET POPULATIONS</b>	
2.1	10	Program components, outcomes and successes are measurable and are clearly defined. (Section 2:F)	
2.2	5	Program is accessible to clients with limited English Proficiency. (Section 5:A)	
2.3	5	Services are physically accessible to persons with disabilities. (Section 5:B)	
<b>3</b>	<b>15</b>	<b>ORGANIZATIONAL AND ADMINISTRATIVE CAPACITY (Staff Review)</b>	
3.1	5	Applicant has stable Executive Director, Program Manager, and Fiscal Officer (or equivalent for public agency).	
3.2	10	Applicant has the experience and ability to successfully carry out the proposed services or project goals in the projected time frame.	
<b>4</b>	<b>5</b>	<b>PARTNERSHIPS &amp; COLLABORATION</b>	
4.1	5	The agency collaborates and coordinates with community groups and organizations in a manner that enhances benefits for clients. (Section 2: I & J)	
<b>5</b>	<b>20</b>	<b>FINANCIAL REVIEW</b>	
5.1	5	The cost per client is reasonable in relation to the cost per client program wide. (Page 1: Budget Summary)	
5.2	5	Applicant demonstrates balance and diversity of fundraising and funding sources (Chart A)	
5.3	5	Applicant demonstrates success in obtaining ongoing funding from other sources. (Chart B)	
5.4	5	Agency demonstrates fiscal capacity and appropriate accounting procedures. (Section 4; Audit)	
<b>Total</b>	<b>100</b>	<b>TOTAL</b>	<b>0</b>

## LANGUAGE ASSISTANCE PLAN (LAP)

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In order to better serve Concord limited-English proficient (LEP) residents, the City of Concord has developed a Language Assistance Plan (LAP). The implementation of the LAP is consistent with the U.S. Department of Housing and Urban Development's (HUD) Final Guidance (Federal Register/ Vol. 72, No. 13, January 22, 2007) and Executive Order 13166 (August 11, 2000) to ensure that programs receiving federal financial assistance provide meaningful access to LEP persons. Failure to ensure that LEP persons can effectively participate in, or benefit from federally assisted programs may violate Title VI of the Civil Rights Act of 1964 that prohibits discrimination based on national origin.

Implementation of the LAP enables Concord to better serve its beneficiaries by ensuring access to language assistance for its community development program funded with federal funds. Although Concord may have limited resources at a given time, the LAP ensures that access to language assistance for LEP residents will be provided in some form.

### I. GOALS OF THE LAP

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The three major goals of the Concord LAP are as follows:

1. To provide meaningful access for Concord's LEP residents through the provision of free language assistance for the CDBG program;
2. To provide an appropriate means to ensure the involvement of LEP residents that are most likely to be affected by the programs and to ensure the continuity of their involvement;
3. To ensure that the City's CDBG staff will assist the City's LEP population in obtaining the necessary services and/or assistance requested.

### II. IDENTIFICATION OF LEP POPULATIONS

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According to the 2011-2015 American Community Survey (ACS) 5-Year estimates, the City of Concord had a population of 126,268. Language data was projected for 117,515 person's age 5 years and older. Of these persons, 75,037 persons (64%) age 5 and older speak English as their only language.

The major languages spoken by the remaining 36% (42,478 persons) of the City's population, and those that speak English less than "very well" are:

- Spanish – 22.9% (26,860 persons)
- Other Indo-European Languages – 5% (5,846 persons)
- Asian and Pacific Island Languages – 7.4% (8,716 persons)
- All remaining languages have 1,056 speakers. For the purpose of this LAP, **the only language that will be labeled as "frequently encountered" is Spanish.** However, the City will also provide access to language assistance for an LEP resident that is not part of the "frequently encountered" language groups.

## LANGUAGE ASSISTANCE MEASURES

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### A. Types of Language Assistance

Concord must provide access to language assistance at no charge to the LEP resident. Depending on the language and nature or importance of a program, service, or activity, the City shall provide access to oral interpretation, written translation, or in some cases, access to both. The City will ensure that access is provided but not limited to the following ways:

- Hiring or providing bilingual staff;
- Contracting with language assistance agencies;
- Accessing language assistance telephone lines; and
- Utilizing community volunteers from community-based organizations.

### B. Critical programs: Provision of Oral Interpretation and Written Translation

Certain programs, services, or activities deemed “critical” warrant the need to provide **both** oral interpretation and written translation. In most cases, housing and housing related complementary services, including services to homeless populations are viewed as critical programs as they are essential to maintaining quality of life.

In most of these cases, subrecipients providing non-housing related programs will not be required to provide the same level of interpretive services as housing or housing-related programs. At the very least, subrecipients of non-housing related programs must provide access to language assistance in some form. The subrecipients’ access to LEP services will be monitored as part of the Consortium’s overall monitoring program of a fiscal year.

### C. Oral Interpretation Assistance: Face-to-Face and Telephone Communication

Face-to-face contact or telephone contact is the most frequent mode of contact with the public or beneficiaries of a program. In most of these cases oral interpretation will be the mode most likely to take place to assist an LEP resident.

In face-to-face contact, staff should follow the following steps to ensure access to language assistance:

- Staff shall notify the LEP resident, to the best of their ability, that language assistance is available to them free of charge and can be arranged for them. A notice stating that free language assistance is available from the City will be posted in the lobby of the Community Development department division lobby in the most “frequently encountered” language of Spanish.
- If the LEP resident is not in any of the “frequently encountered” language groups, the provision of “I Speak” cards shall be presented to the LEP resident to determine what language is appropriate.

- Once the language is determined, staff will arrange language assistance for the LEP person with bilingual staff, language assistance telephone lines, language assistance agencies, or community staff, depending on the nature of assistance needed.

The assistance from a family member or friend is discouraged; however, if the LEP person has a family member or friend that they would like to utilize and they have been notified that there is free assistance available to them, staff must document that free language assistance was offered but the LEP resident elected to utilize a family member or friend.

In situations where precise, complete, and accurate translations of information are critical (i.e. lease agreements, loan documents, legal documents, etc.), the City reserves the right to use a professional interpreter, regardless of whether the LEP individual provides his/her interpreter.

To respond to LEP telephone calls, staff should follow these steps to ensure access to language assistance:

- Staff must, to the best of their ability, try to ascertain the language of the LEP caller. At the very least, staff must ask a “do you speak...” question. Staff should start with the most frequently encountered languages (e.g. “Do you speak Spanish?”).
- If the language can be determined and there is bilingual staff available to assist the caller, staff must inform the LEP caller that there will be an attempt to transfer the call to the bilingual staff and also give the phone number of the bilingual staff member to the LEP resident. If there is knowledge that the bilingual staff member is on leave/vacation, staff shall try to obtain the phone number of the LEP person for the bilingual staff member to call back, or get assistance from an outside interpreter (i.e. language assistance line, existing contract with a language assistance agency, etc.) to assist the LEP caller.
- If there is no bilingual person on staff that can assist the LEP person, staff shall contact an outside language assistance interpreter that the City may have available (i.e. language assistance phone line, interpreter from a language assistance agency on retainer, etc.) and work with the outside interpreter and assist the LEP caller.

**D. Oral Interpretation Assistance: Public Meetings/Hearings**

If a significant number of LEP residents are expected to attend a public meeting/hearing, the City shall provide oral interpretation assistance for the meeting. To determine if written translated materials (if any) are also required for the meeting, see section on “Safe Harbor” Threshold below.

**E. Written Translation Assistance of Vital Documents**

The City shall provide access to written translation of vital documents in programs that are funded with CDBG. A vital document is any document that is critical for ensuring meaningful access to the City’s major activities and programs by beneficiaries generally and LEP persons specifically. Depending on the nature and importance of the document, it is encouraged that vital documents be translated by a highly competent professional translator as many vital documents contain legal and/or technical concepts. Vital documents include but are not limited to:

- Legal or binding documents that participants must execute (i.e. loan documents for homeownership, housing applications, rental agreements);
- Information and Outreach materials for housing and housing-related programs;
- Public Notices of public meetings/hearings.

**Note:** Not all public notices may warrant written translation. The City’s notice for the Action Plan meeting or Consolidated Annual Performance and Evaluation Report (CAPER) usually would not warrant written translation; however, a non-English notice for a substantial amendment to the Action Plan may be warranted if the substantial amendment is regarding a specific program/project that has a large non-English speaking clientele. In addition, notices requesting resident input or participation (i.e. 5-year Consolidated Plan meetings) should be translated in the most frequently encountered languages, and the notice should also state that if a resident requires language assistance in the form of oral interpretation, the resident shall notify the City within 72 hours of the meeting/hearing.

**F. “Safe Harbor” Threshold and Written Translation Assistance**

In any case in which a language population exceeds 5% of a target population for a program or exceeds 1,000 persons for one language involved in a program, the City shall provide written translation of program materials regardless of the type or nature of the program. These materials also include public notices of public meetings/hearings in regards to the specific program, service, or activity.

**G. Training Staff to Provide Access to LEP residents**

City CDBG-funded staff shall be trained and knowledgeable of the resources available to LEP residents of Concord. As part of an orientation, new staff shall be instructed of all the necessary steps of providing meaningful access to LEP residents.

Staff shall be re-trained on the necessary steps at a minimum of every two years. If there are new requirements or new procedures, staff shall be informed and trained on the new requirements or procedures as soon as possible, but no later than 14 days of the receipt of the new requirements or procedures. All staff having contact with the public shall be trained effectively to work with in-person and/or telephone interpreters.

**H. Providing Notice to LEP Persons**

The City’s Community and Economic Development department, under which the CDBG program operates, shall post signs stating that free language assistance is available from the City in the lobby of the Administration Building at 1950 Parkside Drive in Concord, as this is the common area where the public is frequently encountered. The signs shall be translated in the most frequently encountered language of Spanish. All outreach materials of the CDBG program shall state that free language assistance services are available. The statement shall be translated in the most frequently encountered language of Spanish.

Depending on the nature and/or importance of the notice and the population of the target audience, notices in local non-English newspapers shall be posted. The City’s notices for the

public meetings on the Action Plan and Consolidated Annual Performance and Evaluation Report (CAPER) usually would not warrant the necessity of posting in non-English newspapers; however, a non-English notice for a substantial amendment to the Action Plan may be warranted if the substantial amendment is regarding a specific program/project that has a large non-English speaking clientele. Notices regarding the 5-year Consolidated Plan should be posted in non-English newspapers, especially if it is a notice asking for resident input or participation on determining the City's priorities, goals, and needs. Notices requesting resident input or participation shall also state that if a resident requires language assistance in the form of oral interpretation, the resident shall notify the City within 72 hours of the meeting.

Any notice or information televised on local access television shall also state that free language assistance is available in the frequently encountered languages of Spanish. A notice requesting resident input shall be translated in the most frequently encountered language of Spanish and the notice shall also state that if a resident requires language assistance in the form of oral interpretation, the resident shall notify the City within 72 hours of the meeting.

#### **I. Monitoring and Updating the LAP**

Given that the demographics and the needs of Concord residents are in constant flux, the City will periodically monitor and update the LAP. In order to consider changes to demographics, types of services, or other needs, the evaluation of the LAP shall be conducted annually in conjunction with the development of the City's Consolidated Annual Performance and Evaluation Report (CAPER) of the CDBG program. In addition, the LAP shall be reevaluated in conjunction with the development of the Contra Costa County Consortium's 5-year Consolidated Plan for the CDBG, HOME, ESG, and HOPWA programs, and when new census data is released.

Areas that shall be considered during the evaluation and assessment of the LAP shall include:

- Current LEP populations in the jurisdiction geographic area or population affected or encountered;
- Frequency of encounters with LEP language groups;
- The nature and importance of activities/services/programs to LEP persons;
- The availability of resources, including technological advances and sources of additional resources, and the costs imposed;
- Whether existing assistance is meeting the needs of LEP persons;
- Whether staff knows and understands the LAP and how to implement it; and
- Whether identified sources for assistance are still available and viable.

## **RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN**

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All jurisdictions receiving CDBG and other sources of federal funding are subject to the Uniform Relocation Act (URA) and must comply with its requirements. The purpose of the URA is to provide displaced persons with fair, equitable treatment and protection from disproportionate injury by projects designed to benefit the public as a whole. This includes displacement that results from acquisition, demolition, or rehabilitation for HUD-assisted projects carried out with Concord CDBG and any other federal HUD funds funds, and real property acquisition for HUD-assisted projects, whether publicly or privately undertaken. The URA protects all persons who are displaced by a federally assisted project, regardless of their income.

The City of Concord has developed this Residential Anti-displacement and Relocation Assistance Plan (“Plan”) in Under Section 104(d) of the Housing and Community Development Act of 1974, as Amended, and in accordance 24 CFR part 42, subpart B, to certify that the City is following a Plan that will minimize the displacement of persons as a result of assisted activities.

### **A COMMITMENT TO MINIMIZE DISPLACEMENT**

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Consistent with the goals and objectives of activities assisted under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (“URA”) as amended, the City of Concord will minimize the displacement of persons from their homes by:

1. Evaluating projects submitted for Community Development Block Grant or other HUD funding that might involve displacement of low/moderate-income households and advising the sponsor/developer of the relocation and replacement housing obligations.
2. Encouraging the funding of projects that will not involve the displacement of low/moderate-income households.
3. Encouraging sponsors/developers of projects that will involve the displacement of low/moderate-income households to seek alternative sites for development.
4. Requiring the sponsor/developer of low/moderate-income housing to give preference to displaced low/moderate-income households in the new projects, if the person or family qualifies for the project.

### **A COMMITMENT TO PROVIDE RELOCATION ASSISTANCE**

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The City shall provide relocation assistance as described in 24 CFR 570.606, to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities. This includes the levels of assistance outlined in Section 104(d) of the Housing and Community Development Act of 1974 and further defined in 24 CFR 42.350 which provide for rental assistance over a 60 month period.



The City shall provide each household with the option of receiving assistance as described in 49 CFR 24 which provides for rental assistance over a 42 month period if it is determined that such assistance is in the household's best interest.

Temporarily displaced households shall be provided with assistance to cover reasonable out-of-pocket expenses during displacement. This can include advisory assistance and monetary assistance for increased rent, moving costs, security deposits and increased utility costs. In rare cases, a per-diem may be provided for food costs if comparable housing is not available.

Displaced persons shall be relocated into comparable, decent, safe and sanitary dwellings that are adequate in size to accommodate the dwelling occupants. Replacement dwellings shall be functionally equivalent to the acquired dwellings and shall not be subject to unreasonably adverse environmental conditions.

Displaced persons shall have the right to appeal a claim that is denied by the City or its grantee.

Distribution of relocation assistance payments shall be made on a timely basis in a minimum of two installments. A displaced household may elect to receive a lump-sum payment equal to the capitalized value of the relocation assistance payment to allow for the purchase of replacement housing in accordance with program restrictions.

## A COMMITMENT TO PROVIDE ONE-FOR-ONE REPLACEMENT

The City shall replace all occupied and vacant occupiable low/moderate-income dwelling units demolished or converted to a use other than as low/moderate-income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974, as amended, as described in 24 CFR 570.606(b)(1) and 24 CFR 42.375. Dwellings shall be provided within Concord and shall be designed to remain affordable to persons of low and moderate income for ten years from the date of initial occupancy.

All replacement housing will be provided within three years of the commencement of the demolition and rehabilitation relating to conversion. Before obligating or expending funds that will directly result in such demolition or conversion, the City will make public and submit to the HUD Field Office the following information in writing:

1. A description of the proposed assisted activity;
2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as low/moderate-income dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units;  
and

6. The basis for concluding that each replacement dwelling unit will remain a low/moderate-income dwelling unit for at least 10 years from the date of the initial occupancy.