

Hidalgo County Urban County Program



Citizen Participation Plan

(Commissioner's Court Approved 2/2/21)

CITIZEN PARTICIPATION PLAN

The County of Hidalgo Urban County Program is required by 24 CFR 91.105 to have a detailed Citizen Participation Plan which contains the County's policies and procedures for public involvement in the Consolidated Plan Strategy (CPS) process; when preparing an **Assessment of Fair Housing (AFH)**, and the use of **Community Development Block Grants (CDBG)**, **HOME**, and **Emergency Shelter Grants (ESG)** funds. This Citizen Participation Plan must be available to the public.

This Plan covers the four County Precincts, and eighteen non-entitlement cities which comprise the Hidalgo County Urban Program, and **supersedes all previous plans**. (Addresses and telephone numbers for the Consortium Cities and Precincts and central administration are listed as an attachment to this Plan.)

Encouraging Public Participation

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

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

Low and moderate income people — especially those living in a **predominately low and moderate income neighborhoods**¹, particularly those persons living in areas designated as a revitalization area or in a slum and blighted area where CDBG or HOME funds are proposed to be used.

Minorities, people who do not speak English, homeless individuals and families, and people with disabilities (including nursing homes and other institutions for persons with disabilities) are encouraged. Summaries of basic information about CDBG, HOME and ESG, the Consolidated Planning process; and AFH are to be made available in English and Spanish (when requested).

Local and regional institutions, Continuums of Care, and other organizations (including businesses, developers, non-profit organizations, philanthropic organizations, and community-based and faith-based organizations).

Local public housing agencies and residents of public housing (including any resident advisory boards, resident councils, and resident management corporations).

¹ May be one of several neighborhoods served by an activity (e.g., a grocery store) the percentage of L/M income persons in the total area served by the activity is considered for this purpose.

The Role of Low Income People

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

The amount of federal fund the County receives each year is mostly based upon the severity of both poverty and substandard housing conditions in the County therefore, it is necessary that public participation genuinely involve low income residents who experience these conditions. Participation by low income people is strongly encouraged at all stages of the process.

The Stages of the Consolidated Plan Process

The general stages include:

1. Identification of housing and community development needs.
2. Preparation of a “draft” use-of-funds-document for the upcoming year, called the proposed Annual Action Plan. Periodically there will be the development of a proposed Consolidated Plan or the development or revision of the Assessment of Fair Housing, and any amendments.
3. Formal approval by elected officials of a final Annual Action Plan or Consolidated Plan.
4. On occasion during the year, it might be necessary to change the use of the money already budgeted in an Annual Action Plan, or to change the priorities established in the Consolidated Plan. In that case, a formal Substantial Amendment will be proposed, considered and acted upon.
5. After a program year is complete, an Annual Performance Report must be drafted for public review and comment followed by submittal to HUD.

The Program Year

The Program Year chosen by the County of Hidalgo is July 1 through June 30.

PUBLIC NOTICE

There shall be 30 day advanced public notice, published in English and Spanish², for the development and any revisions to the AFH; Proposed Annual Action Plan or Consolidated Plan, and any proposed Substantial Amendment to the Action Plan or Consolidated Plan. Also, there will be a 15 day advanced public notice for the Annual Performance Report.

In addition, there shall be 30 day advanced public notice of all public hearings and all public meetings or County Commissioners’ Court meetings relating to the funds or planning process covered by this Citizen Participation Plan.

² 2014-2018 ACS reports that 84.3% of Hidalgo County households speak a non-English language (ages 5+). 2019 ACS reports that Hidalgo County is 92.5% Hispanic/Latino.

Public notice provision under this Citizen Participation plan may include exceptions to the aforementioned requirements during periods of Federal, State and/or County emergency declarations, due to unforeseen circumstances, emergencies, or acts of God, or other circumstances which may require immediate attention in order to alleviate or prevent serious damages or threat to human life or property. Citizen participation plan may establish exceptions which allow expedited procedures to draft, propose, or amend consolidated plans.

Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period that can run concurrently for comments on the action plan amendment and amended citizen participation plans. In-person public hearings are not required. Grantees may meet public hearing requirements with virtual and/or telephonic public hearings if the nature of an emergency includes national/local health authorities recommend or impose requirements to 1) implement social distancing and limit public gatherings for public health reasons; 2) implement virtual/telephonic hearings providing reasonable notification and access for citizens in accordance federal/state law, and/or the grantee's certifications; and 3) an opportunity for timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

Forms of Public Notice

1. Public notices will be published in one or more newspapers of general circulation, including Spanish-language newspaper(s), and will be posted at the City Hall, Precinct offices, public libraries and Urban County administrative offices, as applicable.

Public notices will be display advertisements in a non-legal section of the newspaper. Advertisements for bid may be placed in the legal sections of the newspaper, which is where prospective bidders are accustomed to finding such notices.

2. Ads and notices may also be placed in: The Mission Progress-Times, the Delta News, the Delta Chronicle, the Mercedes Enterprise, or the Mid-Valley or Upper-Valley Town Crier, and other local newspapers as appropriate and approved in advance by Urban County Program.
3. Notice will be sent to any person or organization requesting a copy or who are on a mailing list.
4. Notice may be posted neighborhood organizations, public housing resident groups, radio and television media, and other persons or groups as deemed appropriate by the Urban County Program.
5. Copies of each document will be available on the Hidalgo County Urban County Program's webpage.

PUBLIC ACCESS TO INFORMATION

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

For non-English speaking citizens/residents, reasonable steps to provide language assistance to ensure meaningful access will be provided. Those speaking Spanish will be assisted by staff, board members, and officials whom are proficient in the Spanish language. A format accessible to persons with disabilities will be made available upon request (e.g., providing oral, Braille, electronic, or large print copies for the visually impaired).

Persons requiring materials in a language other than English should contact the Urban County Program at (956) 787-8127, 1916 Tesoro Street, Pharr, TX 78577.

Standard Documents

Standard Documents include:

The proposed and final Annual Action Plans

The proposed and final Consolidated Plan

Proposed and final Substantial Amendments to either an Annual Action Plan or the Consolidated Plan

Consolidated Annual Performance Evaluation Reports (CAPER)

Assessment of Fair Housing (AFH)

Amendments or revisions to the AFH

The Citizen Participation Plan

Availability of Standard Documents

These materials will be available in a form accessible to persons with disabilities, or to persons, who do not speak English, upon requested.

Places Where Standard Documents Are Available

Standard Documents will be available at the Urban County Office, 1916 Tesoro Street., Pharr, Texas 78577.

PUBLIC HEARINGS

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

The law requires Public Hearings at all stages of the process, including at least one public hearing on Community Needs (Needs Assessment) and one public hearing to review Proposed Use of Funds.

Access to Public Hearings

Public Hearings will be held only after there has been Adequate Notice as described in the Public Notice part of this Citizen Participation Plan.

Public Hearings will be held **at or after 6 p.m.** whenever possible, a time convenient to most people who might benefit from the use of the funds.

Public Hearings should be held at places convenient and not intimidating to most people who might benefit from the use of the funds. Public Hearings may be held at the Commissioners' Court, at the Precinct offices, at the City Halls of the Consortium Cities, and at Community Centers, public housing authorities, libraries and schools, and other appropriate locations.

Public Hearings and Populations with Unique Needs

All Public Hearings will be held at locations accessible to people with disabilities. Provisions will be made for people with disabilities when requests are made at least three working days prior to a meeting. Translators will be provided for people who do not speak English, also upon three working days' notice. These services shall be provided at no charge to the public.

The Conduct of Public Hearings

When possible, Public Hearings shall be conducted in the presence of Hidalgo County Commissioner's Court, City Council(s), Hidalgo County Precinct Office(s) and/or Urban County Program Office. ***The Public Hearing concerning final adoption of the 5 Year Action Plan, One Year Action Plan, CAPER and AFH shall be conducted, whenever possible, in the presence of the Hidalgo County Commissioners' Court.***

The exception to the above-mentioned process would be during Federal, State and/or County emergency declarations. In these situations, the provisions of the conduct of public hearings shall be suspended, and the County may respond to the situation at hand within the parameters set out by the Federal, State and/or County emergency management regulations, to include waivers. Such as in the case of Coronavirus Pandemic, virtual public hearings will be implemented.

THE STAGES IN THE PROCESS

Identifying Needs

Because the housing and community development needs of low and moderate income people are so great and so diverse, priorities must be set. This is the basic reason the Consolidated Plan exists.

The laws and regulations require at least one Public Hearing each year to obtain residents' opinions about needs and what priorities those needs have.

Public Hearings about needs will be completed 30 days before a draft Annual Action Plan/Consolidated Plan is published for comment, so that the needs identified can be considered by the County and addressed in the draft Annual Action Plan or Consolidated Plan.

Assessment of Fair Housing

At the start of the public participation process, HUD provided data and any other supplemental information will be made available to its citizens/residents, public agencies, and other interested parties. The HUD-provided data available to the public by cross-referencing to the data on HUD's Web site and when applicable on the Hidalgo County Urban County Program's website.

The Proposed Annual Action Plan (and/or Five-Year Strategy)

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

At the beginning of the this stage, the County will provide the public with an estimate of the amount of CDBG, HOME, and ESG funds it expects to receive in the upcoming year, along with a description of the range of the types of activities that can be funded with these resources. Each city and precinct in the Urban County Consortium will provide the public with similar information concerning their allotment for the upcoming year. The public will also be given an estimate of the amount of these funds which will be used in ways that will benefit low and moderate income people.

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

The following steps represent the process:

1. Development of the Assessment of Fair Housing
 - a. Publish & Post notice.

- b. There shall be a 30 day comment period before final approval by the County Commissioner’s Court.
 - c. There shall be a public hearing before the County Commissioner’s Court during the 30 day comment period.
 - d. Send to HUD for final approval.
2. Consolidated Plan/Annual Action Plan
- a. Publish & Post Notice of Funding Availability.
 - b. A public hearing about the proposed Consolidated Plan/Annual Action Plan will be conducted by the City Commission at least 30 days before final approval allowing for additional comments.
 - c. There shall be a public hearing before the County Commissioner’s Court during the comment period before final approval by the City Commission.
 - d. Send to HUD for final approval.
3. Substantial Amendments
- a. Publish & Post notice.
 - b. There shall be a 30 day comment period.
 - c. There shall be a public hearing before the County Commissioner’s Court during the comment period followed by a public hearing before the City Commission.
 - d. Send to HUD for final approval.
4. Consolidated Annual Performance & Evaluation Report (CAPER).
- a. Publish & Post notice.
 - b. Hold public hearing
 - c. There shall be a 15 day comment period.
 - d. Submit to HUD for approval.

Technical Assistance

County staff and the staff of the cities and precincts in the Urban County will work with organizations and individuals representative of low and moderate income people who are interested in submitting a proposal to obtain funding for an activity. All potential applicants for funding are encouraged to contact County or City staff for technical assistance before submitting a proposal.

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

The County will notify the public that a Proposed Annual Action Plan/Consolidated Plan is available. The means of “Notice” described earlier will be used.

The date that a **Proposed** Consolidated Plan is available to the public will be at least 30 days prior to the date a **Final** Consolidated Plan is approved by the County Commissioners’ Court so that low and moderate income people will have a reasonable opportunity to examine it and to submit comments.

Copies of the Proposed Annual Action Plan (and/or Five-Year Strategy) will be made available to the public for free and without delay at the locations specified in the section “Public Access to Information.” This requirement may be satisfied by distributing summaries of the Annual Action Plan (and/or five Year Strategy), along with information as to where complete copies could be located.

So that low and moderate income people can determine the degree to which they might be affected, they will be provided, upon request, complete copies of the Proposed Annual Action Plan, Consolidated Plan and AFH (and/or Five-Year Strategy), containing all HUD-required sections, the HUD-required Priorities Table, and a written description of all proposed uses of CDBG, HOME, and ESG funds. At a minimum, this description shall include the type of activity, its location, and the amount of federal money to be allocated to it.

This requirement may be satisfied by distributing summaries of the Annual Action Plan, Consolidated Plan, and AFH, along with information as to where complete copies may be reviewed. The County will provide the Consolidated Plan and the Affirmatively Furthering Fair Housing (AFFH) strategy information to the surrounding public housing authorities (PHAs) so that the PHAs can make this information available at their annual public hearings required for the PHA Plan.

Public Hearing and Further Action

A Public Hearing about the Proposed Action Plan/Consolidated Plan will be held no sooner than 30 days after the Plan is first made available to the public. Additionally, this Hearing will be held so that officials may consider the comments from the public before final approval of the Action Plan or Consolidated Plan.

In preparing the Final Annual Action Plan, Consolidated Plan or AFH careful consideration will be given to all comments and views expressed by the public, either verbally or in writing. The Action Plan, Consolidated Plan and AFH will have a section which presents all comments received, and explains why any comments were not accepted.

THE FINAL ANNUAL ACTION PLAN/CONSOLIDATED PLAN, AFH AND CAPER

Copies of the Final Annual Action Plan, Consolidated Plan, AFH and CAPER or a summary of it will be made available to the public for free upon written request and within three (3) days of a request.

AMENDMENTS TO THE ANNUAL ACTION PLAN/CONSOLIDATED PLAN AND AFH

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

- a) change in one of the Priorities presented;
- b) creation or deletion of an activity;
- c) change in the purpose, location, scope, or beneficiaries of an activity; and
- d) a material change in the AFH HUD provided data which effect established priorities and goals. The public will be given 30 days to comment on any revision/amendment to the AFH before submission to HUD for approval

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

Substantial Amendments

The following will be considered “Substantial” Amendments:

1. A significant change to the Consolidated Plan allocation priorities or a change in the method of distribution of funds.
2. A change in the use of CDBG money from one activity to another of \$250,000.00 or more.
3. A change in the use of HOME, or ESG money from one activity to another of \$200,000.00 or more.
4. The additional or deletion of a category/activity not included in the Consolidated Plan/Action Plan.
5. A change in the purpose of an activity (such as changing a construction project from residential to commercial).
6. A significant change in the location of an activity.
7. A decrease of 20% or more in the number of low and moderate income beneficiaries.

Public Notice and Public Hearing Requirements for Substantial Amendments

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

1. There will be a 30 day advance notice of and availability of a proposed Substantial Amendment before there is a Public Hearing about it.
2. A detailed written description of the proposed Substantial Amendment will be made available to the public at no cost within three working days of a request.
3. Copies will also be available at the locations indicated earlier in this document.
4. A Public Hearing must be held before the governing body of the entity requesting the Amendment.
5. The Final Substantial Amendment will have a section that presents all comments received, both verbally and in writing, and explains why any comments were not accepted.

THE CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)

Each year, the County must send into HUD a Consolidated Annual Performance and Evaluation Report (CAPER) within 90 days of the close of the program year. In general, the Consolidated Annual Performance Annual Performance Evaluation Report must describe how funds were actually used and the extent to which these funds were used for activities to benefit low and moderate income people.

Public Notice and Public Hearing for Consolidated Annual Performance and Evaluation Report

There must be reasonable notice that a Consolidated Annual Performance and Evaluation Report is available so that residents will have an opportunity to review it and

comment on it. Notice will be made according to the procedures described earlier in this Plan, with the following additional procedures specifically for the Consolidated Annual Performance and Evaluation Report (CAPER).

1. There will be 15 days advance notice of the availability of the CAPER before there is a Public Hearing held.
2. A complete copy of the CAPER will be made available to the public at no cost within three working days of a request. Copies and/or summaries will be available at the locations indicated earlier in this Citizen Participation Plan.
3. There will be a public hearing regarding the Consolidated Annual Performance and Evaluation Report.
4. The Public Hearing will be held, when possible, before the County Commissioners' Court.
5. In preparing the Consolidated Annual Performance and Evaluation Report for submission to HUD, careful consideration will be given to all comments and views expressed by the public, whether given as verbal testimony at the public hearing or submitted in writing. The Report sent to HUD will have a section that presents all comments and explains why any comments were not accepted.

Contents of the Annual Performance Report

The Consolidated Annual Performance and Evaluation Report (CAPER) presented to the public will contain at least as much detail as was required by HUD for CDBG Grantee Performance Reports. The Annual Performance Report will have an accounting for each activity during the year for which the CAPER is applicable. Details presented may include but not be limited to:

1. Name of Activity.
2. A description of the activity in enough detail for the public to have a clear understanding of it.
3. The national objectives to be met.
4. Accomplishments, using numerical values when possible.
5. Overall beneficiaries

COMPLAINT PROCEDURES

Complaints from the public will receive a meaningful written reply within 15 working days, where practicable.

EXCEPTIONS TO THE CITIZEN PARTICIPATION PLAN

The Public Notice provision under this Citizen Participation plan includes an exception to the standard 30 day advanced notice requirement which may apply during periods of Federal, State and/or County emergency declarations due to unforeseen circumstances,

emergencies, or acts of God, or other circumstances which may require immediate attention in order to alleviate or prevent serious damages or threat to human life or property. County response shall comply with Federal, State and/or County emergency management plans and orders, including but not limited to applicable waivers, notice requirements, and limitations imposed on public hearings.

The Urban County Program, partner City, or a Commissioners Precinct, may suspend applicable notice provisions of the Citizen Participation Plan, with approval of the County governing authority, and implement this exception allowing for expedited procedures to draft, propose, or amend consolidated plans in order to utilize require immediate attention in order to alleviate or prevent serious damages or threat to human life or property.

Exceptions to the Citizen Participation plans may to establish expedited procedures that must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period that can run concurrently for comments on the action plan amendment and amended citizen participation plans. In-person public hearings are not required. Grantees may meet public hearing requirements with virtual and/or telephonic public hearings if the nature of an emergency includes national/local health authorities recommend or impose requirements to 1) implement social distancing and limit public gatherings for public health reasons; 2) implement virtual/telephonic hearings providing reasonable notification and access for citizens in accordance federal/state law, and/or the grantee's certifications; and 3) an opportunity for timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

CHANGING THE CITIZEN PARTICIPATION PLAN

This Citizen Participation Plan can be changed only after the public has been notified of an intent to modify it, and only after the public has had a reasonable chance to review and comment on proposed substantial changes to it.

URBAN COUNTY CITIES

City of Alamo
City of Alton
City of Donna
City of Edcouch
City of Elsa
City of Granjeno
City of Hidalgo
City of La Joya
City of La Villa
City of Mercedes
City of Palmhurst
City of Palmview
City of Penitas
City of Progreso
City of Progreso Lakes
City of San Juan
City of Sullivan City
City of Weslaco

HIDALGO COUNTY PRECINCTS

COUNTY JUDGE'S OFFICE

Richard F. Cortez, Judge
302 W. University Dr.
Edinburg, TX 78539
Phone:(956) 318-2600
Fax:(956) 318-2699

URBAN COUNTY PROGRAM

P.R. Avila II, Director
1916 Tesoro Street
Pharr, Texas 78577
Phone:(956) 787-8127
Fax:(956) 318-2988

HIDALGO COUNTY PRECINCT # 1

David L. Fuentes, Commissioner
1902 Joe Stephens Ave. Ste. 101
Weslaco, TX 78599
Ph: (956) 968-8733
Fx: (956) 969-1417

HIDALGO COUNTY PRECINCT # 2

Eduardo "Eddie" Cantu,
Commissioner
300 W. Hall Acres Suite G
Pharr, TX 78577
Ph: (956) 787-1891
Fx: (956) 787-4683

HIDALGO COUNTY PRECINCT # 3

Joe M. Flores, Commissioner
724 North Breyfogle
Mission, TX 78574
Ph: (956) 585-4509
Fx: (956) 585-2375

HIDALGO COUNTY PRECINCT # 4

Ellie Torres, Commissioner
1051 N. Doolittle Rd.
Edinburg, TX 78542
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Fax: (956) 381-5905