



CITY OF BEND  
HOUSING

## Citizen Participation Plan Policy No. HOU-10

**PURPOSE:** The purpose of this policy is to establish guidelines regarding the City of Bend Citizen Participation Plan (CPP). The CPP sets forth the policies and procedures for community member participation for the use of Community Development Block Grant (CDBG) funds. The CPP provides an opportunity for the community to work in partnership with the City to identify needs and to allocate CDBG.

**APPLICABILITY:** This Policy applies to City of Bend Housing Department employees and community members.

**DEFINITIONS:** For purposes of the CDBG program, the following definitions will apply:

1. **Community Development Block Grant (CDBG):** A grant program administered by the U.S. Department of Housing and Urban Development (HUD). This grant allots money to cities and counties for housing rehabilitation, affordable housing assistance, community services, and community development activities (including community facilities and economic development).
2. **Median Family Income (MFI):** HUD surveys major metropolitan areas annually to develop an index of median family income by household size.
3. **Low- and Moderate-Income Households** - Pursuant to HUD regulations, the primary beneficiaries of the CDBG program should be low- and moderate-income households, defined by HUD as follows:
  - a. **Extremely Low-Income** - 0-30% County Median family income (MFI) adjusted for household size.
  - b. **Low-Income** - 31-50% County MFI adjusted for household size.



- c. **Moderate-Income** - 51-80% County MFI adjusted for household size.
- 4. **Low- and Moderate-Income Neighborhood** - Generally defined as a census tract(s) or block group(s) in which a minimum of 51 percent of the residents have an income not exceeding 80 percent of the area Median Family Income.
- 5. **Slum or Blighted Area** - An area that meets the definition of a slum, blighted, deteriorated, or deteriorating area under State or local law, typically identified as Redevelopment Project Areas, or where a substantial number of deteriorating or dilapidated buildings or improvements are present throughout the area.
- 6. **Publicly Assisted Housing Developments** - Housing developments (either rental or ownership housing) developed with the assistance of public funds such as HOME, CDBG, and tax credit financing.
- 7. **Affordable Housing Advisory Committee** - The Affordable Housing Advisory Committee (AHAC) is a group of Bend community members appointed by the City Council, and based upon the needs of the community, makes recommendations to the Council regarding the expenditure of HUD funds and the administration of the Affordable Housing Fund Program. Meetings of the AHAC are open to the public and the community members of Bend are invited to attend and participate in the discussion of the policy. The date, time and location of Affordable Housing Advisory Committee public hearings shall be advertised in the legal section of the Bend Bulletin, or another local newspaper of general circulation, along with notices at on the City website calendar.

## **SECTION 1: CITY OF BEND STANDARDS FOR COMMUNITY INVOLVEMENT**

- 1. The City of Bend holds the following standards regarding community member involvement:
  - a. All community member participation is to be done openly.
  - b. Involvement of low- and moderate-income persons, people of color, project area residents, elderly, persons with disabilities and others is encouraged.
  - c. Reasonable efforts will be made to ensure continuity of involvement of community members throughout all stages of the CDBG programs.
  - d. Timely and adequate information is to be given to community members.
  - e. Community members are encouraged to submit their views and proposals regarding the Consolidated Plan and use of CDBG funds.

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2. While the CPP will aim to ensure the participation of all residents, special assurances will be made to ensure the participation of the following groups:
  - a. extremely low-, low-, and moderate-income persons;
  - b. persons living in areas where CDBG funds are proposed to be used;
  - c. residents of publicly assisted housing;
  - d. low-income residents of target neighborhoods;
  - e. people of color;
  - f. non-English speaking persons; and
  - g. persons with disabilities.

## **SECTION 2: ASSESSMENT OF FAIR HOUSING (AFH)**

1. **Assessment of Fair Housing (AFH):** As an entitlement community for CDBG funds, the City of Bend must analyze impediments to fair housing every five years with goals toward rectifying exclusionary housing practices that exist. Under the Housing and Community Development Act of 1974, receipt of such funding requires Bend to affirmatively advance fair housing pursuant to the Fair Housing Act of 1968.
  - a. The Fair Housing Act protects community members from discriminatory housing practices and negative housing effects based on the following:
    - i. race
    - ii. color
    - iii. religion
    - iv. gender
    - v. familial status
    - vi. national origin
    - vii. disability
  - b. Oregon law expands fair housing protections to the following:
    - i. sexual orientation (including gender identity)



- ii. marital status
- iii. survivors of domestic violence
- iv. source of income for a person

c. Under Bend City Code §5.25.015, Bend includes fair housing protections for the following:

- i. persons over 18
- ii. Those community members with the fair housing protections listed particular traits are also referred to as protected classes

d. The City will create an Assessment of Fair Housing (AFH) every five years with an analysis of the community's efforts to carry out fair housing practices (formerly known as an Analysis of Impediments to Fair Housing). An AFH presents an opportunity for the City of Bend to examine housing barriers for protected classes of its community members and incorporate best practices to remove the barriers and rectify any housing inequities.

### **SECTION 3: CONSOLIDATED PLAN (CP)**

1. The Consolidated Plan is a three- to five-year planning document for the CDBG and HOME programs.
2. The CP must contain a housing and community development needs assessment, a three- to five-year strategic plan to address the needs identified, a one-year action plan to identify specify activities and planned use of CDBG and HOME funds.
3. The CP is due at HUD 45 days before the beginning of a program year.
  - a. The City of Bend CDBG program begins annually on July 1, making the CP due at HUD no later than May 17 of each year.

### **SECTION 4: CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT (CAPER)**

1. The CAPER is an annual report summarizing the City's progress in implementing Consolidated Plan.
2. The CAPER is due to HUD 90 days after the close of a program year.
  - a. For the City of Bend, each program year ends on June 30, making the CAPER due to HUD no later than September 28 of each year.



## **SECTION 5: CITIZEN INVOLVEMENT IN THE CITIZEN PARTICIPATION PLAN (CPP):**

The City of Bend recognizes that CDBG funds are tax money returned to the City to be used primarily to benefit extremely low-, low-, and moderate-income persons. City staff and officials are stewards of these public monies and will openly discuss all records, except those confidential records protecting a household's privacy. The City presents the following CPP, in accordance with 24 CFR Parts 91, et al.

1. The CPP seeks to involve the participation of community members of Bend and social service agencies in the development and adoption of the Assessment of Fair Housing, Consolidated Plan, the Action Plan, any substantial amendments, and the Consolidated Annual Performance Evaluation Report (CAPER).
  - a. In addition, efforts will be made to focus on the involvement of low- and moderate-income persons, those persons living in slum and blighted areas, persons living in low- and moderate-income areas and persons living in areas where CDBG funds are proposed to be used.
  - b. The Citizen Participation Plan consists of several elements designed to foster community involvement as specified in each section of the Plan.
2. Pursuant to HUD regulations, the City will conduct a minimum of two hearings annually at different stages in the CDBG program year (July 1 through June 30).
  - a. The City will conduct public hearings at locations and at times that are convenient to the public, especially for those persons affected by program resources, and the locations will be equipped to accommodate persons with physical disabilities.
  - b. All public hearings may be virtual, if allowed by HUD, to meet recommended social distancing and/or emergency response guidelines.
  - c. For non-English speakers, Spanish translation will be available at all public hearings if requested three (3) days prior to the hearing date.
  - d. Other requests for reasonable accommodation (such as sign language) must be made three (3) days prior to the hearing date and the City will provide appropriate assistance to the extent feasible.
3. The approximate schedule for review and adoption of the Annual Action Plan and Consolidated Annual Performance and Evaluation Report is as follows:
  - a. January – Public meeting to review Community Development Block Grant program and project proposals before the Affordable Housing Advisory Committee.
  - b. February through March – Public Comment Period on the Annual Action Plan.



- c. March - Public Hearing at the Affordable Housing Advisory Committee, and Adoption of the Consolidated and/or Annual Action Plan by the Bend City Council.
- d. May – Submittal of the Consolidated and/or Annual Action Plan to Department of Housing and Urban Development in Portland.
- e. September – Affordable Housing Advisory Committee Public Hearing to review the Consolidated Annual Performance and Evaluation Report after a 15-day public comment and review period.

## **SECTION 6: AMENDMENT OF THE CITIZEN PARTICIPATION PLAN**

- 1. The City will amend its approved CPP whenever a change in the public participation process, as outlined in this plan, is proposed.
- 2. A draft of the CPP with the proposed amendments will be translated into Spanish and available for public review at City Hall and on the City of Bend's website: [www.bendoregon.gov/affordablehousing](http://www.bendoregon.gov/affordablehousing).
- 3. The Affordable Housing Advisory Committee will review any proposed amendment. Notice of any amendment to the CPP will be published in the Bend Bulletin, or another local newspaper of general circulation, no less than 7 days prior to the review and adoption by the Affordable Housing Advisory Committee to allow the public the opportunity to review and comment on the amendment.
- 4. Appeals concerning the amendment should follow the Appeal procedures outlined in **Section G** of this document.

## **SECTION 7: ASSESSMENT OF FAIR HOUSING AND CONSOLIDATED PLAN (FIVE-YEAR STRATEGY AND ANNUAL ACTION PLAN):**

- 1) In developing the Assessment of Fair Housing, Consolidated Plan and annual updates, the City of Bend is guided by two leading principles:
  - a) **Customer Service:** focus program efforts on the most critical needs.
  - b) **Comprehensive Approach:** achieve empowerment of individuals and families while ensuring long economic independence.
- 2) Inherent in these principals is extensive, relevant, and ongoing community member participation. The City of Bend believes it is essential to have widespread, meaningful participation throughout the planning process to ensure genuine community "ownership" of the plan.

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- 3) Initially, the City will draft the Assessment of Fair Housing (AFH) through soliciting feedback from stakeholder meetings, community focus groups, and a community survey. These events will happen in person and/or virtually.
  - a) The AHF reviews the City's past goals and actions and then analyzes the housing choice of the community. This analysis provides up-to-date demographics, exposes potentially segregated areas of the community and/or concentrations of poverty, reports on the disparities in access to opportunity, explains the disproportionate housing needs, lays out the publicly supported housing available, reveals the disability access for housing, and provides the resources for fair housing enforcement and education outreach.
  - b) Finally, the AFH updates fair housing goals and priorities to incorporate into the Consolidated Plan.
- 4) Commonly known as the Consolidated Plan, the needs assessment and housing and community development strategic plan are updated every five years. The action plan is updated annually, reflecting annual CBDG funding allocations.
  - a) The Consolidated Plan consists of three parts:
    - i) the needs assessment,
    - ii) housing and community development strategic plan,
    - iii) and an action plan.
- 5) The Consolidated Plan identifies the housing and community development needs in the City, prioritizes the needs for funding, and prescribe a comprehensive strategy for addressing the needs. To maintain relevance, an annual One-Year Action Plan is developed which includes the following elements:
  - a) Dollar amounts proposed for each activity
  - b) A description and location of each activity
  - c) The entity responsible for implementation of each activity
  - d) Time frame for each activity
- 6) In all cases, the Consolidated Plan and Action Plan seek to minimize the displacement of residents from their homes or places of business.



- 7) The groups involved in the process of Assessment of Fair Housing, Consolidated Plan and Action Plan development include:
  - a) Affordable Housing Advisory Committee
  - b) City Staff
  - c) City Council
  - d) General Public
- 8) The Bend City Council will fulfill its role by holding public meetings and carrying out the procedures established in this Citizen Participation Plan. The Bend City Council makes the final determination about the priority of various community needs that will guide the Council when annually allocating CBDG funds in the Action Plan.

## **Development of the Consolidated Plan (Five-Year Strategy) and Annual Action Plan**

The City of Bend will implement the following strategies to solicit meaningful community input in preparation of the Consolidated Plan and Action Plan. Specifically, the City will:

- i. Review past year performance with the Affordable Housing Advisory Committee and discuss priority needs for upcoming year(s).
- ii. Consult public agencies including City staff, adjacent local governments, economic development interests, and state and local health agencies.
- iii. Consult private agencies that provide health services, social services for children, elderly, disabled, homeless, persons with AIDS, victims of domestic violence, and persons with alcohol/drug abuses, etc.
- iv. Conduct at least one web-based survey and one virtual public meeting during the development of the Assessment of Fair Housing and the housing and community development needs assessment of the Consolidated Plan.

Community member participation during the development of the Assessment of Fair Housing, Consolidated Plan and Action Plan will take place at the Affordable Housing Advisory Committee meetings, which are open to the public. The community members of Bend are invited to take an advisory role in policy formation regarding program implementation by attending the Affordable Housing Advisory Committee meetings and making their views known. This will be made clear in all public announcements of the Affordable Housing Advisory Committee meetings.



## **Adoption of the Consolidated Plan (Five-Year Strategy) and Annual Action Plan**

The following procedures will ensure that all community members will have a chance to influence the final Plan. Specifically, the City will:

- i. Publish a notice announcing the public hearing and public review and comment period of not less than 30 days, unless required period is waived or reduced by HUD, to receive comments from community members on the Draft Consolidated Plan and Action Plan. The notice will be published in the Bend Bulletin, or another local newspaper of general circulation, and include a summary of the Draft Consolidated Plan and Action Plan that describes the contents and purpose and a list of the locations where copies of the Draft Plan may be examined. The notice will be published at least fourteen (14) days prior to the public hearing. Waivers from HUD may change requirements and the City may take advantage of any or all HUD waivers offered.
- ii. The Draft Consolidated Plan and Action Plan with an Executive Summary translated into Spanish will be available for public review the City of Bend website: [www.bendoregon.gov/affordablehousing](http://www.bendoregon.gov/affordablehousing), and at City Hall. Upon request, the Draft Consolidated Plan and Action Plan will be made accessible to any person with disabilities. The City will provide a reasonable number of free copies of the Draft Consolidated Plan and Action Plan to community members and groups that request copies.
- iii. The Affordable Housing Advisory Committee will conduct a public hearing on the Draft Consolidated Plan and Action Plan.
- iv. At the end of the 30-day review period, the City Council will consider adoption of the Draft Consolidated Plan and Action Plan. The Draft Consolidated Plan and Action Plan will be adopted upon a majority vote of the Bend City Council. After adoption of the Plan, the Final Consolidated Plan and Action Plan will be submitted to HUD. The Final Plan will include a summary of public comments and a summary of any comments not accepted and the reasons therefore, all of which will be attached to the Final Plan.

## **Amendment of the Consolidated Plan**

The City may amend the adopted Consolidated Plan and Action Plan. The following outlines the criteria and procedures to be used when amending the Consolidated Plan and Action Plan.

### **Substantial Amendment Criteria**

**Consolidated Plan (Five-Year Strategy)** - The City will amend its approved Consolidated Plan (Five-Year Strategy) whenever a decision is made to propose a substantial change in allocation priorities. For the purpose of the Consolidated Plan, a "substantial change" will



constitute a cumulative change equal to or in excess of 25% of the City's CDBG entitlement for a program year.

Changes in funding priority not amounting to more than 25% of a program year will not be considered a substantial change to the Consolidated Plan; no formal amendment to the Consolidated Plan requiring public review and comment will be warranted. (For example, an amendment to the Consolidated Plan is needed if the five-year Strategy identifies only a low priority need for historic preservation, but during the five-year timeframe the City decides to establish a CDBG-funded historic preservation program that amounts to more than 25% of the City's annual allocation.)

**Annual Action Plan** - The City will amend its approved Action Plan whenever one of the following decisions is made:

1. to carry out an activity not previously described in the Action Plan;
2. to cancel an activity previously described in the Action Plan;
3. to increase the amount to be expended on a particular activity from the amount stated in the Action Plan by more than 25%; or
4. to substantially change the purpose, scope, location, or beneficiaries of an activity.

Changes in funding for an existing activity (project) not amounting to more than 25% will not be considered a substantial change to the Action Plan; no formal amendment to the Action Plan requiring public review and comment will be warranted.

### **Amendment Process**

The following procedures will ensure that all community members will have a chance to comment on the proposed amendment to the Consolidated Plan and Action Plan.

- i. Proposed amendments are reviewed by the Affordable Housing Advisory Committee at a regular or special meeting for its recommendation to the Bend City Council.
- ii. Publish a notice of the public review and comment period of not less than 30 days, unless required period is waived or reduced by HUD, to receive comments from community members on the proposed amendment to the adopted Consolidated Plan and/or Annual Action Plan. The notice will be published in the Bend Bulletin, or another local newspaper of general circulation, and include a summary of the amendment and where copies of the proposed amendment may be examined.



- iii. The proposed amendment will be available for public review on the City of Bend's website at [www.bendoregon.gov/affordablehousing](http://www.bendoregon.gov/affordablehousing). Upon request, the amendment will be made accessible to any person with disabilities and/or translated for a community member of limited English proficiency.
- iv. At the end of the public review and comment period, the Bend City Council will consider adoption of the amendment upon a majority vote of the Bend City Council.
- v. The approved amendment will be sent to the Portland Field Office for the U.S. Department of Housing and Urban Development.

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

The Consolidated Annual Performance and Evaluation Report (CAPER) details the accomplishments of the Consolidated Plan and the Action Plan. The following procedures will ensure that all community members will have a chance to comment on the CAPER.

- i. The draft CAPER will be reviewed at a public hearing by the Affordable Housing Advisory Committee at one of the committee's regular meetings.
- ii. Publish a notice of the 15-day public comment period on the draft CAPER. The notice will be published in the Bend Bulletin, or another local newspaper of general circulation. The notice will provide information on the public hearing, and where the draft CAPER can be reviewed.
- iii. The draft CAPER will be available for public review at City Hall and on the City of Bend's website at [www.bendoregon.gov/affordablehousing](http://www.bendoregon.gov/affordablehousing). Upon request, the CAPER will be made accessible to any person with disabilities and/or translated for a community member of limited English proficiency.

### **B. Public Notification of Public Hearings**

Staff will ensure adequate advance notice of all public hearings. Adequate noticing will include:

- Printing notices in the Bend Bulletin, or another local newspaper of general circulation, at least fourteen (14) days prior to the public hearings.
- Posting notices at City Hall with Spanish translation posted.



- Affordable Housing Advisory Committee's website at [www.bendoregon.gov/government/committees/affordable-housing-advisory-committee](http://www.bendoregon.gov/government/committees/affordable-housing-advisory-committee).

## **C. Access to Records**

The City will provide community members, public agencies, and other interested parties with reasonable and timely access to information and records relating to the Consolidated Plan documents and the use of assistance during the preceding five years.

At all times during the City Hall operating hours, all information regarding the HUD programs will be made available upon request, including the Federal Regulations governing the CDBG programs, a year-by-year breakdown of the program expenditures, the minutes of the most recent Affordable Housing Advisory Committee, the most recent report of the program activities, records of Affordable Housing Advisory Committee meetings, mailings and promotional material, prior years application, letters of approval from HUD, grant agreements, this Citizen Participation Plan, reports required by HUD, the current proposed application, and any other documents regarding important program requirements by HUD.

During the period of planning for the next program year, information to be made available to the public will include such items as the amount of funds available to Bend, the range of activities that may be undertaken with these funds, the kind of activities previously funded in Bend, the processes involved in drawing up and approving Bend's application, the role of Bend's community members in the CDBG programs and any other information necessary for Bend's community members to participate in the process fully. Requests for information and records must be made to the City of Bend in writing. Staff will respond to such requests within 15 working days or as soon as possible thereafter.

## **D. Technical Assistance**

Upon request, staff will provide technical assistance to groups representing extremely-low, low- and moderate-income persons to develop funding requests for CDBG eligible activities. Technical assistance will be provided as follows:

- i. Answer, in writing or verbally, all inquiries received from community members or representative groups relating to funding requests.
- ii. Meet with groups or individuals as appropriate, to assist in identifying specific needs and to assist in preparing request/application for assistance.
- iii. Provide bi-lingual translation on as needed basis.



## **E. Comments and Complaints**

### **1. Comments**

Community members or the City government, as well as agencies providing services to the community, are encouraged to state or submit their comments in the development of the Consolidated Plan documents and any amendments to these documents. Written and verbal comments received at public hearings or during the comment period, will be considered and summarized, and included as an attachment to the final Consolidated Plan documents. Written comments should be addressed to:

City of Bend  
Affordable Housing Coordinator  
P.O. Box 431  
Bend, OR 97709  
Tel. No. (541) 312-4915

A written response will be made to all written comments within ten working days, acknowledging the letter and identifying a plan of action, if necessary. Every effort will be made to send a complete response within 15 working days to those who submit written comments.

### **2. Complaints**

Community member with complaints concerning the Consolidated Plan, the Annual Action Plan, substantial amendments and the CAPER should contact the City of Bend personnel by phone or in writing within 30 days from the date the document is published for comment. Complaints concerning any CDBG-funded program in which the person believes access has been limited or denied, must be made within 30 days from the date of the occurrence. Staff will review each complaint based on the information provided within the complaint and provide a complete written responses to community member complaints within 15 working days from the date of their complaint when practicable.

The City will accept written complaints provided they specify the following:



- (1) The description of the objection, and supporting facts and data
- (2) Provide name, address, telephone number, and a date of complaint

City of Bend  
Affordable Housing Coordinator  
P.O. Box 431  
Bend, OR 97709  
Tel. No. (541) 312-4915

A record will be maintained of all complaints received that will include the nature of the complaint, City investigation of facts and evidence, referrals made, and the final disposition.

Community members may contact HUD directly if they wish to object to any part of the Consolidated Plan, Annual Action Plan or Consolidated Annual Performance or Evaluation Report, or if they feel that they have been aggrieved by any program, activity or procedure funded through CDBG funds. Such objections should be made to: Program Manager, U.S. Department of Housing and Urban Development, 1220 SW 3<sup>rd</sup> Ave., Suite 400, Portland, OR 97204-2852.

## **F. Bilingual Opportunities**

Translation services will be provided upon advance request to the extent feasible. Translation services at public hearings and meetings will be provided in Spanish if translation services are requested at least 3 days prior to the meeting date.

## **G. Appeals**

Appeals concerning the Consolidated Plan documents or decisions, statements, recommendations of the staff, or disposition of complaints should be made first to the Affordable Housing Coordinator, then to the Affordable Housing Manager, then to the City Manager, the City Council, and finally to the Portland Area Office of HUD if concerns are not answered.

## **H. Anti-displacement/Relocation**



If any residential displacement and relocation must take place to carry out a program activity, the City of Bend ensures that it will develop an Anti-displacement and Relocation Plan in connection with that project as applicable per Federal regulations.

If any acquisition and relocation must take place to carry out a program activity, Bend will also comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended and implementing regulations of 49 CFR Part 24.

## **I. Assurances**

The City of Bend assures that the most diligent effort will be made to comply with the process and procedures outlined in this CPP.

## **J. Exceptions to Public Consultation and Notice Requirements**

The City of Bend, when provided the authority from Housing and Urban Development Department, may utilize any flexibilities or statutory waivers provided by HUD as they relate to the Community Development Block Grant Program. Waivers are typically provided in the event of disaster and/or emergency declaration, though waivers may be available at other HUD specified times.

### Disaster/Emergency Events

A declared disaster or emergency may include but is not limited to the following:

- 1) Man-Made Disasters,
- 2) Natural Disasters,
- 3) Terrorism,

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4) Infection Disease or Pandemic (such as COVID-19/coronavirus), and

5) National Emergency.

If waivers are available from HUD to assist in expediting available additional resources and/or any plan modifications, City of Bend staff may take full advantage of offered exceptions to standard Citizen Participation requirements outlined in other sections of this plan.

Reasonable notice and opportunity for public response will be considered minimums outlined in any provided waivers.

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**Document Control**

<b>Revision Date</b>	<b>Portions Revised</b>	<b>Reason for Revision</b>
8/29/24	n/a – policy origination	Existing policy (revised in 2022) was reformatted to current policy format. Content is unchanged.