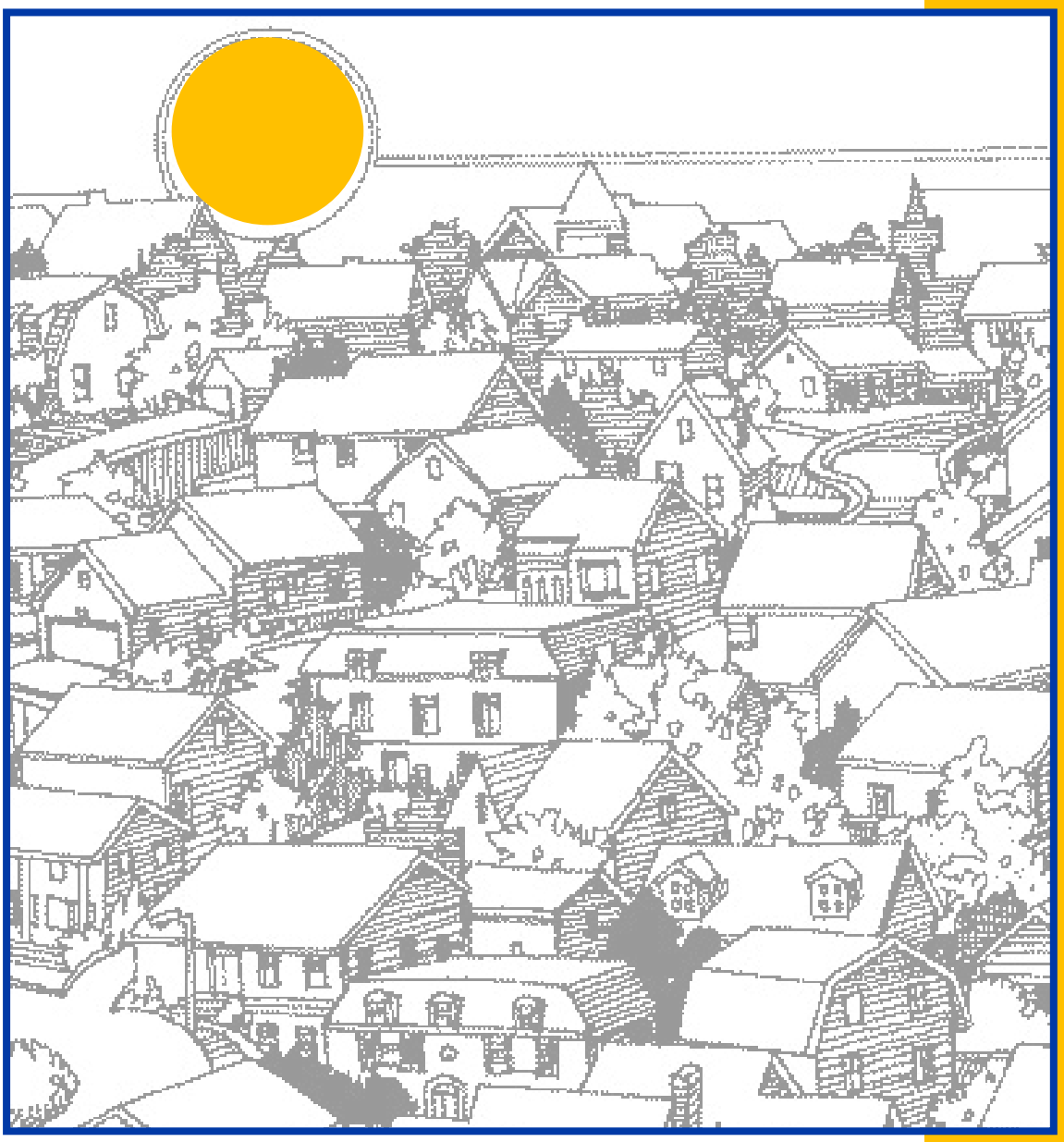
CITY OF LINCOLN NEBRASKA

URBAN DEVELOPMENT DEPARTMENT

Resident Participation Plan

For CDBG, HOME and ESG Federal Grant Programs



City of Lincoln, Mayor Chris Beutler

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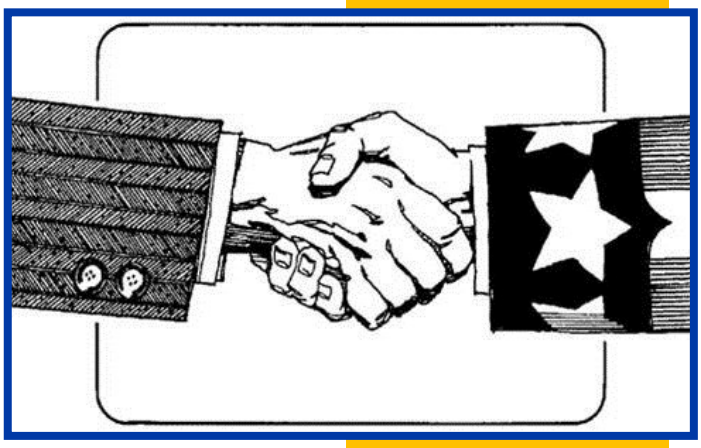
Introduction

The City of Lincoln is required by law to have a ***Resident Participation Plan*** that details how the public can be involved in the "*Consolidated Plan*" process and implementation. Lincoln's *Consolidated Plan* details how the City uses funds received from the U.S. Housing and Urban Development Department (HUD).

As a HUD entitlement city, Lincoln receives an annual allocation of federal funds under the Community Development Block Grant (CDBG), the HOME Investment Partnerships Program (HOME) and Emergency Solutions Grant (ESG) programs. Collectively known as Community Planning and Development (CPD) funds, these allocations vary from year to year as Congress establishes the Federal budget.



Since 1975, when Lincoln received its first CDBG allocation, over $100 million have come to Lincoln under these and other HUD programs. For more information about each of these and other related federal programs, see page 8.

You can use the information in this ***Resident Participation Guide*** to become involved in the community process that shapes the local use of these Federal funds for some of the City's most important endeavors:

- Revitalizing older neighborhoods,
- Improving and maintaining an aging housing stock,
- Providing homeownership opportunities,
- Providing meaningful economic opportunities for low- and moderate-income residents,
- Providing human services to those in need, and
- Moving homeless persons and families to independence and self-sufficiency.

The Consolidated Plan

To receive CDBG, HOME and ESG funds, the City of Lincoln must prepare a *Consolidated Plan* that outlines Lincoln's housing, homeless, and community development needs. The *Consolidated Plan* also identifies resources, priorities, goals, and proposed HUD-funded activities. Lincoln's *Consolidated Plan* includes several elements:

- ***Resident Participation Plan*** – You're reading it now. It outlines how residents can participate in all portions of the *Five-Year Consolidated Plan* process.
- ***Analysis of Impediments to Fair Housing*** – Identifies and evaluates local and regional fair housing issues and factors contributing to fair housing obstacles using HUD's *Affirmatively Furthering Fair Housing Data & Mapping Tool* and resident participation, along with local data & resources.
- ***Five-Year Strategic Plan*** — After careful consideration of Lincoln's needs pertaining to housing, homeless and community development, the *Strategic Plan* sets five-year goals and objectives and identifies overall strategies to address the needs.
- ***Annual One-Year Action Plans*** – Annual Action Plans break the five-year plan into annual goals, objectives and strategies that address Lincoln's housing, homeless and community development needs.
- ***Substantial Amendments to the Action Plans or the Strategic Plan*** — If a strategy is not working, the plans can be amended. If the change is minor, it can be done administratively. If the change is substantial, an amendment process has to be followed. For details about what constitutes a substantial change, see page 7.

- ***Consolidated Annual Performance and Evaluation Report (CAPER)*** – Last but not least, the CAPER evaluates the success and effectiveness of each *Annual One-Year Action Plan* and identifies any strategy that is not working.

The *Consolidated Plan* isn't static -- done once and set in stone. It is an on-going process with opportunities to adjust, modify, and grow with each year.

Resident Participation

In the City of Lincoln, the Urban Development Department (UDD) is the local agency responsible for administering CDBG, HOME and ESG funds. UDD encourages all Lincoln residents to participate in the process of developing, amending, and implementing all parts of the *Five-Year Consolidated Plan.* Because CDBG, HOME and ESG funds are targeted by law to primarily benefit lower-income people, some residents are especially encouraged to participate, including:

- Low- and moderate-income persons, particularly those living in slum and blighted areas and in areas where CPD funds are proposed to be used,
- Residents of predominantly low- and moderate-income neighborhoods,
- Minorities, non-English speaking persons, and persons with disabilities, and
- Local and regional institutions, Lincoln's Continuum of Care and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations), especially with regard to homelessness issues.

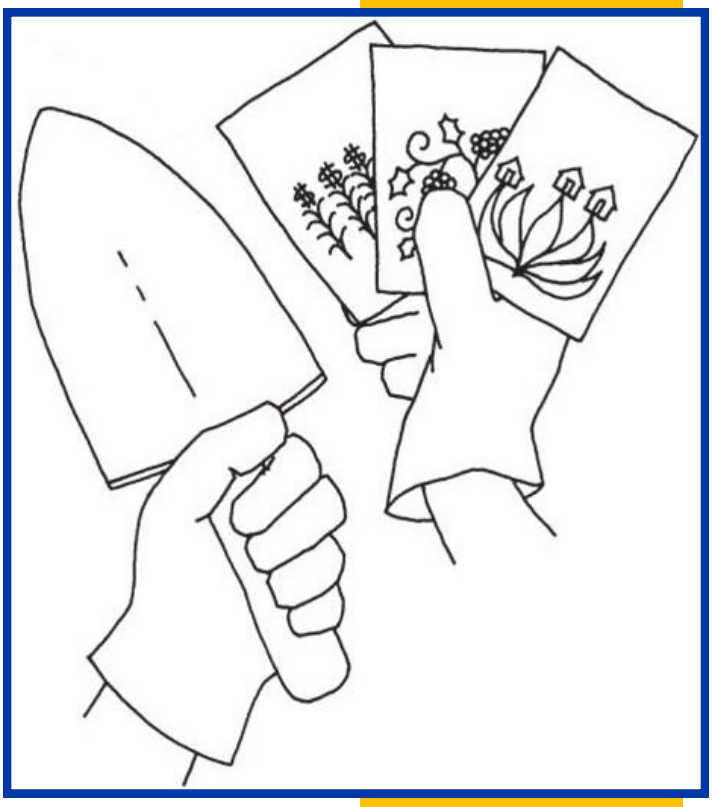
In consultation with the Lincoln Housing Authority, UDD also encourages the participation of residents of public and assisted housing developments, along with other low- and moderate-income residents of targeted revitalization areas in which the housing developments are located. UDD will provide information to the Lincoln Housing Authority to share with residents of public and assisted housing developments.

As a minimum for resident participation, every element of the *Consolidated Plan* process requires a public hearing and a public comment period, as shown in the table on page 8.

Public Hearings are held expressly for direct public participation and offer an opportunity for residents to voice their concerns or ideas on the City's CDP funded activities. Public hearings are publicized at least ten days in advance in the legal notices section of the *Lincoln Journal Star.*

It is UDD's intention to comply with the Americans with Disabilities Act (ADA) in all respects. If an attendee or participant at a public hearing needs special assistance beyond what is normally provided, UDD will attempt to accommodate them in every reasonable manner. Efforts may include, but are not limited to: accessible seating, video recording for those homebound, sign language services and production of written transcripts. Requests for reasonable accommodations should be made to UDD (see page 8), at least two working days before the public hearing.

Public comment periods vary between 15 to 30 days depending on the element of the Consolidated Plan being considered (see pages 7 & 8). Comments can be submitted orally at public hearings. Written comments can be submitted during the public comment period to the Urban Development Department (see contact info on page 6). Written and verbal comments, whether received at public hearings or during the public comment period, will be considered and summarized, and included as an attachment to the final *Consolidated Plan* document.



While resident participation in the public hearings and public comment periods is important and strongly encouraged, it is equally important that residents participate in plan preparation. Input in the early stages of the plans – from neighborhood associations, faith-based and business-based organizations, from online surveys and/or from focus groups – helps shape the goals, objectives and strategies that drive the *Consolidated Plan* process.

Neighborhood organizations are integral to the community development process. As the voice of their respective neighborhoods, it is their role to provide information concerning neighborhood needs and to make suggestions for activities to meet those needs. Neighborhood organizations can and have worked with Urban Development Department staff to prepare and/or implement projects. Neighborhood organizations voice their concerns at public hearings, at the monthly meeting of Mayor's Neighborhood Roundtable and at special meetings called to review and provide input on projects. For more information about Lincoln's neighborhood organizations and the Mayor's Neighborhood Roundtable, see *www.lincoln.ne.gov*, keyword: *neighborhood*.

Community-based & faith-based organizations are asked for input in the community development process -- especially those serving the needs of low- and moderate-income people, the disabled, female heads of households, minorities, children, the elderly, persons with HIV and their families, and homeless persons. These organizations include community centers, philanthropic organizations, nonprofit housing providers, social service agencies, and health providers. Some specific examples include, but are not limited to: Aging Partners, Catholic Social Services, Center for People in Need, CenterPointe, Community Action Partnership, Good Neighbor Community Center, Health 360, Habitat for Humanity, the Homeless Coalition, Indian Center, League of Human Dignity, Lincoln Housing Authority, Lutheran Family Services, NeighborWorks®Lincoln, People's Health Center, and Peoples City Mission.

Business organizations and developers are also asked to provide input into the community development process, especially those active in low- and moderate-income areas of the City. Examples include: the North 27th Street Business and Civic Association, the Downtown Lincoln Association and the University Place Business Association.

Access & Communications

All elements of the Five-Year Consolidated Plan are public documents and available to any Lincoln resident. Copies of the *Resident Participation Plan*, *Five-Year Strategic Plan*, *Annual One-Year Action Plan*, *Consolidated Annual Performance Evaluation Report (CAPER)* and *Analysis of Impediments to Fair Housing* are available for public review at the Urban Development Department's offices and online (www.Lincoln.ne.gov, keyword: UDDreports).

When an element of the Consolidated Plan is proposed for approval, a "notice of availability" and a summary of the element are published in the legal notices section of the *Lincoln Journal Star*. Residents are advised that the full document is available:

- On the Urban Development Department webpage: *www.lincoln.ne.gov*, keyword: *UDDReports*; and
- At the Urban Development Department, 555 S. 10th Street, Suite 205, Lincoln, NE 68508.

Please contact UDD (see page 6) to communicate regarding any element if the *Consolidated Plan,* including complaints, requests to access records, requests for reasonable accommodation for disabled persons, and requests for translation services for persons with limited English proficiency. Please provide a two working day notice.

UDD will accept written dated complaints provided they specify:

- The description of the objection along with supporting facts and data, and
- The name, address, telephone number, and e-mail address (if available), of the individual filing the complaint.

A written response will be made to all written comments and complaints within ten working days when practicable, acknowledging the letter and identifying a plan of action, if necessary.

Displacement Information

Activities undertaken with funds included in the *Consolidated Plan* try to avoid displacing residents. However, should displacement occur, persons displaced will receive additional information, including a booklet entitled *Relocation Assistance.* This booklet outlines their rights and contains general information about relocation services and benefits offered by the City. It is also available on the Urban Development webpage: *www.lincoln.ne.gov*, keyword: *relocation*.

If displacement occurs as a result of any *Consolidated Plan* activity, the federal **Uniform Relocation and Real Property Acquisition Act of 1970**, as amended, will be followed.

Access to Records

The Urban Development Department has prepared documents that identify community development needs and facilitate the administration of the programs. These documents are available for review upon request.

No single document fully describes the CDBG, HOME and ESG programs. Federal regulations often change, with new requirements added and old ones deleted. Updated rules are regularly issued by HUD and numerous guidebooks are also produced by HUD to more fully describe various aspects of the programs.

Residents are encouraged to use whatever materials best meet their needs. Below is a list of some of the materials available, both locally and nationally.

Local Information: This information is available at the Urban Development Department, with accommodations for visually impaired and non-English speaking persons upon request.

- *Housing Rehabilitation & Homeownership Program Guidelines.* This material lists and defines the programs and requirements for assistance to homeowners and first-time home buyers.
- *Neighborhood Focus Area Action Plans.* These plans identify strategies to address needs in small sub-neighborhood focus areas.

Federal Information: This information is available on the U.S. Housing and Urban Development website (www.hud.gov).

- *"Common Rule" (24 CFR Part 85).* This is technically called the "Administrative Requirements for Grants and Cooperative Agreements to State, Local, and Federally Recognized Indian Tribal Governments." It contains the guidelines that Lincoln must follow in allocating funds to sub-recipients.
- *Title 24 of the Code of Federal Regulations (24 CFR).* This section of the Federal Code covers all HUD programs. The guidelines for the different programs and other important requirements can be found in the following parts of 24 CFR:
    - 24 CFR Part 570 - CDBG;
    - 24 CFR 92 - HOME;
    - 24 CFR 910 - Consolidated Planning Requirements;
    - 24 CFR 58 - HUD Environmental Responsibilities; and
    - 24 CFR 576 - ESG.
- *Federal Register.* The *Federal Register* is published daily, Monday through Friday (except on official holidays) and contains the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders, Federal agency documents having general applicability and legal affect, documents required to be published by an Act of Congress, and other Federal agency documents of public interest. Applicable portions are listed by federal department, so CDBG, HOME and ESG information would appear under Housing and Urban Development.
- *Affirmatively Furthering Fair Housing Data & Mapping Tool.* U.S. Census Bureau data and mapping tools provided by HUD for localities receiving CDBG, HOME and ESG funding. The data and mapping tools are available for use by local administrators and by the public, primarily for use in efforts to identify barriers to fair housing, but it can be used to help identify other community needs as well.

Technical Assistance

The Urban Development Department provides technical assistance to low-income, very low-income, and poverty level individuals or organizations in developing proposals for funding under any programs included in the *Three- to Five-Year Strategic Plan*. Staff also provides technical assistance to grant recipients to ensure compliance with federal rules and regulations.

Complaints

Throughout the year, the Urban Development Department accepts resident comments and complaints regarding the approved Community Development Programs and/or the community development process.

Although verbal complaints are accepted, only written complaints receive a written response. Complaints are investigated and responses to written complaints are made within 15 working days after a complaint is received. Copies of complaints and description of any action taken are submitted to City officials and are filed in the Urban Development Department's records. A summary of all comments or views — oral or written — are included in the *Consolidated Plan* and the *Consolidated Annual Performance and Evaluation Report* (*CAPER*) to the HUD.

Please send complaints to:

David Landis
Director, Urban Development Department
555 S. 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-7126

If you are not satisfied with the response, you may also contact:

U.S. Dept. of Housing & Urban Development
Omaha Field Office
Edward Zorinsky Federal Building, #329
1616 Capitol Ave
Omaha, NE 68102-4908

Phone: (402) 492-3100
Fax: (402) 492-3150
TTY: (402) 492-3183

Contact Information

Contact the Urban Development Department with any questions or comments, or for more information.

Urban Development Department
555 S. 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-7606
Email: urbandev@lincoln.ne.gov
Web: *www.lincoln.ne.gov*, keyword: *urban*

More About Substantial Amendments...

Substantial Amendments to Lincoln's *Strategic Plan* and/or *Annual Action Plans* may be made from time to time. For a proposed change to be an amendment, at least one of these circumstances must be present:

- A change in the use of CDBG or HOME funds from one eligible activity to another,
- The addition of a new activity,
- The elimination of an activity,
- A change that exceeds either 10% of the annual grant amount of any funding component or a minimum of $7,500, or
- A substantial change in the purpose, scope, location, and/or beneficiaries of an activity.

Public hearings are held on amendments to the *Consolidated Plan.* Notices are published in the *Lincoln Journal Star* legal notices section at least ten days prior to public hearings and informational meetings. All meeting times and places are posted to the City Urban Development Department webpage (lincoln.ne.gov, keyword: urban). There is a 30 day public comment period on any amendments.

More About the Process & Timeline in Lincoln...

In Lincoln, the program year (or fiscal year) runs from September 1 through August 31, which matches the City's regular budget cycle. Because the program years don't coincide with calendar years, the ***current program year***, ***past program year***, and ***future program year*** terminology can get confusing. It may be helpful to have an example: if the current program year is FY 2018 (September 2018 to August 2019), the past program year is FY 2017 (September 2017 to August 2018), and the future program year is FY 2019 (September 2019 to August 2020). See below for a month by month timeline of the process for an Annual Action Plan and for a Five-Year Strategic Plan. For one year, the Annual Action Plan activities with be merged with the Five-Year activities.

Annual Action Plan Timeline

September

- ❑ The current program year begins, begin implementation of the activities identified in the current program year's *Action Plan*

October

- ❑ Begin preparation of the past program year's *Consolidated Annual Performance and Evaluation Report* (*CAPER*)

November

- ❑ Announce the availability of the past year's *CAPER* to the public and begin the 15-day public comment period
- ❑ Hold a public hearing on the past program year's *CAPER*
- ❑ Submit past program year's *CAPER* to HUD

April

- ❑ Develop preliminary funding allocations and strategies for the future program year's Annual Action Plan

May

- ❑ Finalize recommendations for future program year's *Action Plan*, publish draft Plan for public review and begin the 30-day public comment period

June

- ❑ Public comment period (30 day) on draft future program year's Action Plan ends
- ❑ Approval of future program year's *Annual Action Plan* by City Council at a previously announced public hearing
- ❑ Prepare an Environmental Review of the future program year's *Annual Action Plan*

July

- ❑ Submit the future program year's *Annual Action Plan*, "Application for Federal Assistance," and "Certifications" to HUD
- ❑ Preliminary approval of future program year's *Action Plan* by HUD

August

- ❑ Publish "Notice of Finding of No Significant Impact" (FONSI) and/or "Notice of Intent to Request Release of Funds".
- ❑ Begin 15-day local public comment period on the FONSI and/or Notice of Intent to Request Release of Funds, plus an additional 15 day period for comments sent directly to HUD
- ❑ Submit "Request for Release of Funds" to HUD
- ❑ Release of Funds and Funding Agreement from HUD

Five-Year Strategic Plan Timeline

February — March (2 years out)

- ❑ Begin gathering data from local sources for *Analysis of Impediments to Fair Housing* to complement data and maps from HUD's *Affirmatively Furthering Fair Housing Data & Mapping Tool*

April—May

- ❑ Collect public input related to fair housing issues for the *Analysis of Impediments to Fair Housing*

June

- ❑ Using data and public input, draft goals and objectives to address needs identified for the *Analysis of Impediments to Fair Housing*

July—August

- ❑ Collect public input in response to draft impediments and actions for *Analysis of Impediments to Fair Housing*

September

- ❑ Revise *Analysis of Impediments to Fair Housing* impediments and actions in response to public input

October

- ❑ Publish *Analysis of Impediments to Fair Housing* impediments and actions for 30-day public review

November

- ❑ *Analysis of Impediments to Fair Housing* public comment period ends
- ❑ Urban Development Department Director approves the *Analysis of Impediments to Fair Housing*
- ❑ *Analysis of Impediments to Fair Housing* is submitted to HUD for approval

January—March (1 year out)

- ❑ Gather/collect local data and input to supplement HUD data and mapping tool.
- ❑ Review *Resident Participation Guide*, updating & revising as needed.

April

- ❑ Develop preliminary goals & strategies for the *Five-Year Strategic Plan*
- ❑ Develop preliminary funding allocations and strategies for the future program year's *Annual Action Plan*

May

- ❑ Finalize the proposed the *Five-Year Strategic Plan,* future program year's *Annual Action Plan* and *Resident Participation Guide*
- ❑ Publish draft *Plans* and *Guide* for public review and begin the 30-day public comment period

June

- ❑ Public comment period (30 day) on proposed the *Five-Year Strategic Plan,* future program year's *Annual Action Plan* and *Resident Participation Guide* ends
- ❑ Mayor & City Council approves the *Five-Year Strategic Plan,* the future program year's *Annual Action Plan* and the *Resident Participation Guide* at a previously announced public hearing
- ❑ Prepare an Environmental Review of the future program year's *Annual Action Plan*

July

- ❑ Submit the *Five-Year Strategic Plan,* the future program year's *Annual Action Plan* and the *Resident Participation Guide*, along with the "Application for Federal Assistance," and "Certifications" to HUD
- ❑ HUD gives preliminary approval of *Five-Year Strategic Plan,* the future program year's *Annual Action Plan* and the *Resident Participation Guide*

August

- ❑ Publish "Notice of Finding of No Significant Impact" (FONSI) and/or "Notice of Intent to Request Release of Funds".
- ❑ Begin 15-day local public comment period on the FONSI and/or Notice of Intent to Request Release of Funds, plus an additional 15 day period for comments sent directly to HUD; see contact information on page _
- ❑ Submit "Request for Release of Funds" to HUD
- ❑ "Release of Funds" and "Funding Agreement" received from HUD

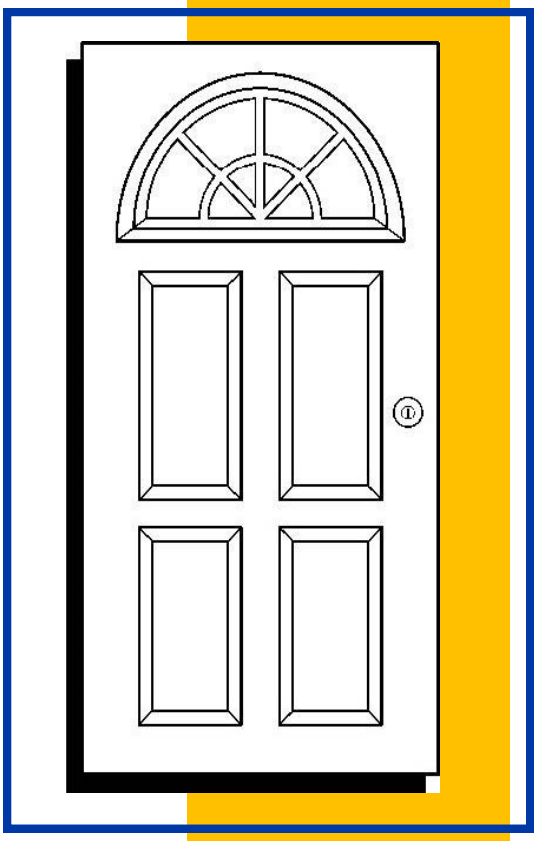
Document	Due to HUD	Public Hearing Requirement	Public Review & Comment Period Required	Local Approval Authority
Five-Year Strategic Plan with or without the *Resident Participation Plan*	45 days prior to start of program year, once every five years	At least 1 public hearing during the preparation of the *Five-Year Strategic Plan*	30 calendar days	Mayor & City Council
Analysis of Impediments to Fair Housing	270 days prior to submission of *Five-Year Strategic Plan*	1 public hearing	30 calendar days	Director of Urban Development Department
Annual Action Plan	45 days prior to start of program year	1 public hearing	30 calendar days	Mayor & City Council
Consolidated Annual Performance & Evaluation Report (CAPER)	90 says after the end of each program year	1 public hearing	15 calendar days	——-
Substantial Amendments to *Five-Year Strategic Plan* or *Annual Action Plan*	As soon as local adoption, but no due date	1 public hearing	30 calendar days	Director of Urban Development Department
Revision to *Analysis of Impediments to Fair Housing*		1 public hearing	30 calendar days	Director of Urban Development Department

About CDBG...

Authorized under Title I of the Housing and Community Development Act of 1974, the **Community Development Block Grant Program** (CDBG) has a stated goal of "*. . . developing viable urban communities, by providing decent housing and a suitable living environment and expanded economic opportunities.*"

Currently, this program provides the largest formula grant to the City of Lincoln. Over the years, these funds have been used in many ways, including:

- Rehabilitation of owner-occupied and rental housing;
- Homeownership assistance;
- Public improvements (sidewalks, street paving, storm sewers, alley graveling, tree planting, etc.);
- Assistance to neighborhood organizations;
- Assistance to businesses to expand or retain jobs;
- Rehabilitation of commercial buildings; and
- Assistance to non-profit organizations to provide human services.



According to regulations, to be eligible for CDBG funding, an activity must meet one of the following three national objectives:

- Provide a benefit to low- and moderate-income persons;
- Aid in the prevention or elimination of slums and blight; or
- Meet community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community.

Communities must certify that at least 70% of the CDBG expenditures are used on activities that benefit low- and moderate-income persons.

Lincoln, as a recipient of CDBG funds, can award and disburse funds to non-profit organizations, Section 301(d) Small Business Investment Companies, and local community development corporations. Individuals may also receive CDBG grants and/or loans through City-run programs, such as its housing rehabilitation loan programs, and through neighborhood-based nonprofit organizations.

About HOME...

The **HOME Investment Partnerships Program** (HOME), authorized under the National Affordable Housing Act of 1990, was created "*. . .to provide decent affordable housing to lower-income house- holds, expand the capacity of nonprofit housing providers, strengthen the ability of state and local governments to provide housing, and leverage private-sector participation in affordable housing.*"

Lincoln was designated as a **Participating Jurisdiction** (PJ) and received its first allocation of HOME funds in 1992. Some of the activities funded under Lincoln's HOME Program include the construction of new rental units, rehabilitation of owner-occupied housing, financial assistance to first-time homebuyers, and security deposit assistance to homeless families.

Among other requirements, a PJ must allocate at least 15% of its annual HOME allocation to activities carried out by Community Housing Development Organizations or CHDOs. CHDOs are private, nonprofit organizations that meet a series of qualifications prescribed in the HOME regulations. Several organizations in Lincoln have been

or are designated CHDO's. Often, an organization will work to qualify as a CHDO in order to accomplish a specific project.

About ESG...

Between 1995 and 2004, Lincoln received over $689,000 in direct, federal **Emergency Shelter Grant** (ESG) allocations. Between 2005 and 2012, the ESG Program was administered state-wide by the State of Nebraska Health and Human Services Department (HHS) and Lincoln agencies applied to HHS for ESG funds. In 2012, ESG became the **Emergency Solutions Grant** program and, in 2013, Lincoln again began receiving ESG allocations directly.

The ESG program is one of many programs created by the Stewart B. McKinney Homeless Act of 1987, federal legislation enacted specifically to assist homeless persons. Locally, ESG dollars have been and are used for operating costs of local shelters and homeless programs, homeless prevention activities (payment of rent and utilities arrearages for persons facing eviction), and homeless client services.

Lincoln agencies also receive funds through the State of Nebraska's **Homeless Shelter Assistance Trust Fund** (HSATF). The Urban Development Department has been given the responsibility of recommending allocations of HSATF monies to Lincoln providers.

The Urban Development Department provides staff for the Homeless Coalition, Lincoln's Continuum of Care entity.