

## STATE OF NEVADA

### CITIZEN PARTICIPATION PLAN

#### Introduction

The State of Nevada, in compliance with the requirements of 24 CFR, Part 91, et. al. Consolidated Submissions for Community Planning and Development Programs, which sets forth the final rule providing for a consolidated plan and a single consolidated performance report of the four formula grant programs of the U.S. Department of Housing and Urban Development (HUD), has established the following policies and procedures for citizen participation (referred to as the Citizen Participation Plan) and will abide by this Plan.

#### Development of the Proposed Consolidated Plan and Annual Action Plans

In 1994, HUD published regulations requiring state agencies that administer the four formula grant programs to incorporate planning and application requirements into one master plan called the Consolidated Plan. The new planning process was intended to more comprehensively address three basic goals: provide decent housing, provide a suitable living environment and expand economic opportunities. The four formula programs are: Community Development Block Grants (CDBG), Home Investment Partnerships (HOME), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons with AIDS (HOPWA). The programs are administered by the Governor's Office of Economic Development: Rural Community & Economic Development (CDBG); the Department of Business and Industry: Nevada Housing Division (HOME and ESG); and the Department of Health and Human Services: Division of Public and Behavioral Health (HOPWA).

The Consolidated Plan is actually a three-part planning process required by HUD. It comprises developing a five-year strategic plan, preparing annual action plans and submitting annual performance reports. These three parts are intended to furnish the framework whereby the State of Nevada can identify its housing, homeless, community and economic development needs, identify resources that will be tapped and actions to be taken to address needs, as well as look back and evaluate the State's progress toward achieving its strategic goals. Completing these documents on time and in a manner that is acceptable to HUD ensures program funding.

The precursor to the Consolidated Plan is the Citizen Participation Plan (CPP). The objectives of the CPP are to ensure that the citizens of Nevada, particularly persons of low and moderate income, persons living in slum and blight areas, units of local government, housing agencies and other interested parties, are provided with the opportunity to participate in the planning and preparation of the Consolidated Plan, including amendments to the Consolidated Plan and the Annual Performance Report. In doing so, the CPP sets forth general policies and procedures for implementing and carrying out the consolidated planning process, such as how the Consolidated Plan will be developed, the dates and milestones along which the process will proceed and methods for citizens to offer the State assistance and guidance in the formulation of the Plan. Furthermore, the provisions of the CPP fulfill statutory and regulatory requirements for citizen participation specified in the U.S. Department of Housing and Urban Development's rules for the Consolidated Plan, the HOME Investment Partnerships (HOME) Program, the Community Development Block Grant (CDBG) Program, the Emergency Solutions Grants (ESG) Program and the Housing Opportunities for Persons with AIDS (HOPWA) Program.

In order to ensure maximum participation in the Consolidated Plan process among all populations and needs groups, and in order to ensure that their issues and concerns are adequately addressed, the State of Nevada will follow the standards set forth in its adopted CPP during development of its Consolidated Plan, Action Plan, Annual Performance Report and the Analysis of Impediments to Fair Housing Choice.

The term “entitlement area” refers to cities and counties that, because of their size, are able to receive federal funding directly. These areas must complete a Consolidated Plan separately from the State’s to receive funding. For purposes of this report, “non-entitlement” refers to cities and towns that do not file Consolidated Plans individually and are not able to receive funding from the HUD programs directly. Entitlements not covered by the State of Nevada’s Consolidated Plan are City of Henderson, City of Las Vegas, City of North Las Vegas, City of Reno, City of Sparks, and Clark County. Carson City is an entitlement city for CDBG only. Other HUD programs for Carson City are included in the State’s Consolidated Plan. However, Carson City submits a separate Analysis of Impediments to Fair Housing Choice. Individuals wishing to contribute to the consolidated planning process for the areas not covered by the State’s Plan should contact housing and community development specialists in these locations.

### **Public Hearings**

To maximize citizen participation, the State of Nevada will conduct a minimum of two public hearings to obtain citizens' views and to respond to proposals and questions. The hearings will take place at different stages of the consolidated planning process. At least one will occur prior to development of the Draft Plan and will be intended to solicit public input regarding distinct issues, thereby aiding policy formation. At least one hearing will occur after the Draft Plan has been released for public review, allowing interested parties an opportunity to review the strategies and how they were developed, designed and presented.

Information about the time, location and subject of each hearing will be provided to citizens at least 14 calendar days in advance through adopted public notice and outreach procedures. This notification will be disseminated to local governments and other interested parties. Public notification of the hearings will be published in statewide newspapers of general circulation in cities or towns where hearings are held and on State websites. Additionally, the State of Nevada may, at its discretion, actively solicit input on housing and community development issues during the course of the year with regional forums, town hall meetings and other venues, as they may present themselves. Staff may also attend other meetings and conventions in Nevada throughout the year, thereby providing an opportunity for additional public information on the Consolidated Plan or other planning efforts.

Every effort will be made to ensure that public hearings are inclusive. Hearings will be held at convenient times and locations and in places where people most affected by proposed activities can attend. The State of Nevada will utilize facilities for hearings that are accessible to persons with mobility impairments. If written notice is given at least seven days before a hearing date, the state will provide appropriate materials, equipment and interpreting services to facilitate the participation of non-English speaking persons and persons with visual and/or hearing impairments. Interpreters will be provided at public hearings where a significant number of non-English speaking residents can be reasonably expected to participate. All public hearings and public meetings associated with the consolidated planning process will conform to applicable Nevada open meetings laws.

### Scheduling and Providing Notices of Public Meetings

In order to provide adequate notice of all Public Meetings, a minimum of two-week notice should be given. The notice may be published in the newspaper(s) or posted in a minimum of three prominent places within the project area. The CDBG Eligible Entity must provide citizens with reasonable and timely access to all meetings. The location and time of these meetings must be scheduled in such a manner as to be convenient to potential or actual beneficiaries. Citizens must be made aware of where they may submit their views and proposals should they be unable to attend any public meeting. Where a significant number of residents who are non-English speaking can be reasonably expected to participate in a public hearing, an interpreter must be present to accommodate the needs of the population: this must be so stated in the public notice. Additionally, all notices for public meetings shall state that accommodations for persons with disabilities will be provided.

The State of Nevada is committed to keeping all interested groups and individuals informed of each phase of the consolidated planning process and of activities being proposed or undertaken under HUD formula grant programs. Opportunities to comment on or participate in planning community development and affordable housing activities and projects will be publicized and disseminated throughout the state.

### **Encouraging Citizen Participation**

In order to facilitate citizen participation requirements and to maximize citizen interaction in the development of the Consolidated Plan, substantial amendments to the Consolidated Plan and/or the annual action plan and the performance report, the State will take actions necessary to encourage participation by a broad scope of citizens, especially those of low and moderate income, those living in slum and blighted areas and in areas where CDBG funds are proposed to be used, persons who are non-English speaking, minorities, and those with disabilities. The State also encourages the participation of statewide and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) that are involved with or affected by the programs or activities covered by the Consolidated Plan as well as other plans. Refer to the Public Hearings section for a summary of efforts that will be taken to broaden public participation and/or outreach to minorities and people who are non-English speaking, as well as persons with disabilities.

Interested groups and individuals are encouraged to provide input into all aspects of the State of Nevada's consolidated planning activities, from assessing needs to setting priorities and through the performance evaluation. By following the CPP, there will be numerous opportunities for citizens to contribute information, ideas and opinions about ways to improve our communities and neighborhoods, promote housing affordability, encourage economic development and enhance the delivery of public services to local residents.

### **Citizen Participation Requirements for Local Governments Participating in the CDBG Program**

CDBG Eligible Entities must provide opportunities for public participation in the development of community development goals, objectives and applications for funding assistance by undertaking the following activities:

- Provide for and encourage citizen participation within their areas of jurisdiction with particular emphasis on participation by persons of low and moderate income;
- Provide citizens with reasonable and timely access to local meetings, information, and records relating to proposed and actual use of funds;

- Provide technical assistance to groups and representatives of low and moderate income persons that request assistance in developing proposals. The level and type of assistance is to be determined by the Eligible Entity;
- Provide public hearings to obtain citizen participation and respond to proposals and questions at all stages of the planning and application processes;
- Provide for timely written answers to written complaints and grievances within 15 working days where practicable;
- Identify how needs of residents who are non-English speaking will be met in the case of public hearings where a significant number of residents can be reasonably expected to participate.

Prior to selecting a project and submitting an application for CDBG funding assistance, eligible applicants are required to conduct three public meetings for the following purposes:

- Advising citizens of the amount of CDBG funds expected to be made available for the current fiscal year;
- Reviewing program performance, past use of funds and make available to the public its community development and housing needs, including the needs of low and moderate income families and the activities to be undertaken to meet such needs;
- Advising citizens of the range of activities that may be undertaken with CDBG funds;
- Advising citizens of the estimated amount of CDBG funds proposed to be used for activities that will meet a national objective of: benefit low and moderate income persons, Slum and Blight; or Urgent Need;
- Advising citizens of the proposed CDBG activities likely to result in displacement and the unit of local government's anti-displacement and relocation plans.
- Obtaining recommendations from citizens regarding the community development and housing needs of the community.

After considering all recommendations and input provided at the public hearing(s), the county commission or city/town/village council determines, at an official public meeting, which project(s) to submit for funding assistance. Evidence of compliance with these regulations must be provided with each application (i.e. copy of hearing notices or publication of notices, minutes of the meetings, list of needs, and activities/projects to be undertaken).

Amendments to goals, objectives, and applications may also be subject to the public participation process.

#### **Limited English Proficient Persons and the Language Access Plan**

The State of Nevada will make every effort to ensure that people who are Limited English Proficient (LEP) have meaningful access to federally funded programs and services as is required under Title VI of the Civil Rights Act of 1964.

The State of Nevada has a diverse population where many languages are spoken. A substantial number of persons who speak these languages do not speak English or do not speak English very well and are considered Limited English Proficient (LEP).

Regardless of which language a person speaks or their ability to speak English, the State of Nevada will make every effort to ensure that they have meaningful access to federal funding services through either oral interpretation or written translations of vital documents.

Since the State of Nevada has such a large number of LEP persons, all countywide public notices and public hearings must ensure that language services are provided or available. For example, each year the public notice for the Annual Action Plan will be printed in other languages unique to each area and translation services will be provided as necessary for public hearings. Because many programs and services delivered within the State of Nevada, including those carried out by participating cities and counties, have distinct service areas, as such, an assessment must be made by each agency administering the activity to determine which language services should be provided based on the identified LEP population in the service area.

To assist participating agencies, the State of Nevada has developed a bulletin instructing them to conduct the four-factor analysis and develop their own Language Access Plan (LAP) to ensure that LEP persons have meaningful access to their federally funded programs and services. The State will also provide technical assistance to assist the agencies in conducting the four-factor analysis and in developing their Language Access Plans.

The four-factor analysis is as follows:

**Factor 1:** Determine the number or proportion of LEP persons served or encountered in the eligible service area.

**Factor 2:** Determine the frequency with which LEP persons come in contact with the program.

**Factor 3:** Determine the importance of the information, services, program, or the activity to people's lives.

**Factor 4:** Assess costs versus resources and benefits in providing language services.

The State of Nevada is confident that no person will be denied federally funded services based on their ability to speak English.

### **Availability to the Public**

The State will publish the draft Consolidated Plan or Annual Action Plan for public review in a manner that affords citizens, public agencies and other interested parties a reasonable opportunity to examine its contents and submit comments. The Draft Plan will be a complete document and shall include:

- The amount of assistance the state agencies expect to receive and,
- The range of activities that may be undertaken, including the estimated amount that will benefit persons of low and moderate income.

A notice for the release of the Draft Plan will be published in several newspapers of general circulation at the beginning of the public comment period. The release will include a list of the locations where copies of the entire proposed Consolidated Plan may be obtained or examined. The following are among the locations where copies of the public comment draft will be made available for inspection:

- Governor's Office of Economic Development offices;
- Rural Community Development/CDBG website:  
[www.diversifynevada.com/programs-resources/rural-community-development](http://www.diversifynevada.com/programs-resources/rural-community-development)
- Nevada Housing Division (NHD) offices,

- NHD website: <https://housing.nv.gov>

Citizens and groups may obtain a reasonable number of free copies of the proposed Consolidated Plan by contacting:

Governor's Office of Economic Development:  
Rural Community & Economic Development Division  
775-687-9919

or

Department of Business & Industry:  
Nevada Housing Division  
775- 687-2041

Documents may be downloaded at:

[www.diversifynevada.com/programs-resources/rural-community-development](http://www.diversifynevada.com/programs-resources/rural-community-development)

or

<http://housing.nv.gov>

### **Public Comments on the Draft Consolidated Plan and Annual Action Plans**

The Governor's Office of Economic Development: Rural Community & Economic Development/CDBG, as lead agency, will receive comments from citizens on its draft plan for a period not less than 30 days prior to submission of the Consolidated Plan or Annual Action Plans to HUD. The approved plan(s) will be scheduled for release in early fall of each year.

All comments or views of citizens received in writing during the 30-day comment period will be considered in preparing the final Consolidated Plan or Annual Action Plan. A summary of these comments or views and a summary of any comments or views not accepted and the reasons therefore shall be attached to the final Consolidated Plan or Annual Action Plan.

### **Public Notice and Outreach**

An informed citizenry is critical to effective and responsive housing and community development programs. Efforts to educate residents and empower their participation are an ongoing element of the consolidated planning process.

As the fundamental means of notifying interested citizens about the Consolidated Plan and related activities, such as the Annual Action Plan or the Consolidated Annual Performance and Evaluation Report, the State will publish public notices in newspapers of general circulation and on NHD and CDBG web pages. Such notices will be published at least 14 calendar days prior to public hearings. All notices will be written in plain, simple language in English and Spanish or other languages where applicable and direct efforts will be undertaken to publish and/or post information at locations that will elicit maximum low and moderate income and minority participation.

Public education and outreach will be facilitated through the use of public advertisements that describe the consolidated planning process, opportunities for citizen participation and available funding through the CDBG, ESG, HOME and HOPWA programs. The Consolidated Plan mailing list includes social service organizations, local jurisdictions, low income housing consumers, neighborhood groups, previous participants and commentators, and others expected to desire input on the Plan. This list is updated periodically and is available for inspection at the State of Nevada's NHD and CDBG websites.

### **Technical Assistance**

Groups or individuals interested in obtaining technical assistance to develop project proposals or applying for funding assistance through HUD formula grant programs covered by the Consolidated Plan or Annual Action Plan may contact the Governor's Office of Economic Development: Rural Community & Economic Development/CDBG for CDBG; the Nevada Housing Division for HOME and ESG; and the Division of Public and Behavioral Health for HOPWA. Such assistance may be of particular use to community development organizations, nonprofit service providers, and for-profit and nonprofit housing development groups that serve or represent persons of low and moderate income. Pre-application workshops offer basic program information and materials to potential project sponsors, and staff members provide in-depth guidance and assistance to applicants and program participants on an on-going basis.

### **Amendments to the Consolidated Plan**

An amendment to the Consolidated Plan is required whenever the jurisdiction determines to:

- Substantially change the allocation priorities or its method of distributing HUD formula grant funds;
- Utilize formula grant funds (including program income) to carry out an activity not previously described in the Action Plan; or
- Change the purpose, scope, location or beneficiaries of an activity.

Such changes, prior to their implementation, are reviewed under various federal or local requirements, particularly rules on procurement and/or policies on the allocation of public resources. Substantial amendments to the Consolidated Plan are, in addition, subject to a formal citizen participation process. Notice and the opportunity to comment will be given to citizens through public notices in local newspapers and other appropriate means, such as direct or electronic mail or public meetings. A public comment period of not less than 30 days will be provided prior to implementing any substantial amendment to the Consolidated Plan. Staff will prepare a summary of all comments received in writing and, in cases where any citizens' views are not accepted, provide reasons for the decision. This documentation will be attached to the substantial amendment, which will be available to the public and submitted to HUD.

### **Substantial Amendments**

The criteria for determining the need to formally amend the Consolidated Plan are referred to by HUD as Substantial Amendment Criteria. The following conditions are considered to be Substantial Amendment Criteria:

- Any change in the described method of distributing funds to local governments or nonprofit organizations to carry out activities. Elements of a method of distribution are:

- Application process,
  - Allocation among funding activities in excess of 35 percent of the total current entitlement allocation,
  - Grant size limits, and
  - Criteria selection.
- An administrative decision to reallocate all the funds allocated to an activity in the Action Plan to other activities of equal or lesser priority need level, unless the decision is a result of:
    - Federal government recession of appropriated funds, or appropriations are so much less than anticipated that the State makes an administrative decision not to fund one or more activities, or
    - The Governor declares a state of emergency and reallocates federal funds to address the emergency, or
    - A unique economic development opportunity arises where the state administration asks that federal grants be used to take advantage of the opportunity.

### **Citizen Participation in the Event of a Substantial Amendment**

In the event of a substantial amendment to the Consolidated Plan, the CDBG, HOME, ESG or HOPWA program manager or administrator, depending on the nature of the amendment, will conduct at least one additional public hearing. There will be proper notification of the public hearing and comment period, which is not less than 30 days. Notification will state where the proposed substantially amended Consolidated Plan will be made available to interested parties. Citizens will be informed of the public hearing through newspaper notification and the state websites prior to the hearing and the notice will appear in at least one newspaper that is circulated statewide.

Citizens will be notified of the substantially amended Consolidated Plan's availability through newspaper notification prior to the 30-day comment period. The substantially amended sections of the Consolidated Plan will be available on the NHD and CDBG websites for the full public comment period.

### **Consideration of Public Comments on the Substantially Amended Plan**

In the event of substantial amendments to the Consolidated Plan, the state will openly consider any comments on the substantially amended Consolidated Plan from individuals or groups. Comments must be received in writing or at public hearings. A summary of the written and public hearing comments on the substantial amendments will be included in the final Consolidated Plan. The final Consolidated Plan will also include a summary of all comments not accepted and their reasons for dismissal.

### **Changes in Federal Funding Level**

Any changes in federal funding level after the Consolidated Plan's draft comment period has expired and the resulting effect on the distribution of funds will not be considered an amendment or a substantial amendment.

### **Standard Amendments**

Standard amendments are those that are not considered substantial in nature and pertain chiefly to minor administrative modifications of the programs. Thus they do not require in-depth citizen participation.



## **Administrative Amendments**

Administrative Amendments are those that activities that pertain to changes in the management of the programs. Administrative tasks include but are not limited to adding individual projects to the Integrated Data Information System (IDIS) that adhere to the strategies and objectives. Activities are added so the CAPER can more easily be created. Administrative amendments may be subject to citizen participation.

## **Annual Performance Reports**

Performance reports on CDBG, HOME, ESG and HOPWA programs covered by the Consolidated Plan or Annual Action Plan are to be prepared by Rural Community & Economic Development/CDBG, Nevada Housing Division and the Division of Public and Behavioral Health for annual submission to HUD within 90 days of the start of each program year. Draft performance reports will be made available upon written request. The draft performance report will be available for comment for no less than 15 days, and any public comments received in writing will be reported in an addendum to the final performance report.

## **Access to Records**

To the extent allowed by law, interested citizens and organizations shall be afforded reasonable and timely access to records covering the preparation of the Consolidated Plan or Annual Action Plan, project evaluation and selection, and HUD's comments on the Plan and annual performance reports. In addition, materials on formula grant programs covered by the Consolidated Plan or Annual Action Plan, including activities undertaken in the previous five years, will be made available to any member of the public who requests information. A complete file of citizen comments will also be available for review by interested parties. After receiving notice of HUD's approval of its Consolidated Plan or Annual Action Plan, the GOED: Rural Community and Economic Development Division will inform those on its mailing list of the availability of the final Plan document and of any HUD comments on the Plan.

## **Complaints and Grievances**

Citizens, administering agencies and other interested parties may submit complaints and grievances regarding the programs Rural Community Development/CDBG, the Nevada Housing Division, and the Division of Public and Behavioral Health administer. Complaints should be in writing, specific in their subject matter, and include facts to support allegations. The following are considered to constitute complaints to which a response is due:

- The administering agency has purportedly violated a provision of the Citizen Participation Plan;
- The administering agency has purportedly violated a provision of federal CDBG, ESG or HOME, or HOPWA program regulations;
- The administering agency, or any of its contractors, has purportedly engaged in questionable practices resulting in waste, fraud or mismanagement of any program funds.

Residents may also present complaints and grievances orally or in writing at the community meetings and/or public hearing. All public comments, including complaints and grievances, made either orally or in writing within the 30-day public comment period, will be included in the final Consolidated Plan or Annual Action Plan. Such complaints or grievances for CDBG, HOME, HOPWA, or ESG shall be directed to the Consolidated Plan representative at the Rural Community & Economic Development/CDBG and Nevada Housing Division.

## **Timely Response to Complaints or Grievances**

Upon receipt of a written complaint, the designated representative at Rural Community & Economic Development, Nevada Housing Division or the Division of Public and Behavioral Health shall respond to the complainant within 15 calendar days and maintain a copy of all related correspondence, which will be subject to review.

Within 15 calendar days of receiving the complaint, the designated representative shall discuss the matter with the department manager and respond to the complainant in writing. A copy of the Rural Community Development Division or NHD response will be transmitted, concurrently, to the complainant and to the division directors. If, due to unusual circumstances, the designated representative finds that s/he is unable to meet the prescribed time limit, the limit may be extended by written notice to the complainant. The designated representative's notice must include the reason for the extension and the date on which a response is expected to be generated, which may be based on the nature and complexity of the complaint.

Public review materials and performance reports will include data, as appropriate under confidentiality regulations, on any written complaints received and how each was resolved.

## **Activities Exempt from Substantial Amendment Citizen Participation Requirements**

### **Urgent Needs**

It may be necessary to amend the Consolidated Plan or Annual Action Plan in the event of an emergency such as a natural disaster. These amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet community development needs that have a particular urgency. Therefore the State of Nevada may utilize its HOME or CDBG funds to meet an urgent need without the normal public comment period, which is otherwise required for substantial amendments.

To comply with the national objective of meeting community development needs having a particular urgency, an activity will alleviate existing conditions that the State of Nevada certifies:

- Pose a serious and immediate threat to the health and welfare of the community;
- Are of recent origin or recently became urgent;
- The state is unable to finance the activity on its own; or
- Other resources of funding are not available to carry out the activity.

A condition will generally be considered to be of recent origin if it is developed or became critical within 18 months preceding the Rural Community & Economic Development Division's certification.

### **Availability of the Citizen Participation Plan (CPP)**

Copies of the CPP may be obtained from the following web pages:

[www.diversifynevada.com/programs-resources/rural-community-development](http://www.diversifynevada.com/programs-resources/rural-community-development)

or

<http://housing.nv.gov>

Upon request, the Plan will be made available in an alternative format accessible to persons with disabilities.