



Citizen Participation Plan for HUD Programs

Community Development Block Grant (CDBG)
HOME Investment Partnerships Program (HOME)

As Amended May 18, 2020

If you would like to request the Citizen Participation Plan in an accessible format (e.g. oral, Braille, electronic, or large print copies), or translation requests, please contact the Planning and Development Department at 225 4th St N, Fargo, ND 58102 (701-241-1474, ND Relay TTY 800-366-6888 or 711) or Planning@FargoND.gov.

Table of Contents

Executive Summary	Page 1
I. Introduction to Community Development and HUD Programs	Page 1
What is Community Development?	Page 1
Community Development Block Grant (CDBG)	Page 2
HOME Investment Partnerships (HOME)	Page 2
II. Definition of Citizen Participation Plan Terms	Page 3
Low- and Moderate-Income Households and Neighborhoods	Page 3
Public Notice	Page 3
Public Comment	Page 4
Planning & Development	Page 4
III. Encouraging Citizen Participation	Page 4
Description of HUD Plans and Reports	Page 5
Encouragement of Citizen Participation from Particular Groups	Page 6
Community Development Mailing List	Page 7
IV. Accessibility	Page 7
Access to Meetings, Materials, and Records	Page 7
Limited English Proficiency (LEP)	Page 8
V. Development of Plans and Reports	Page 9
Consolidated Plan/Annual Action Plan/Analysis of Impediments	Page 9
Step 1: Initial Public Input Hearing	Page 9
Step 2: Call for Proposals	Page 10
Step 3: 30 Day Public Comment Period and Public Hearing	Page 11
Step 4: Submission to HUD	Page 11
Consolidated Annual Performance and Evaluation Report (CAPER)	Page 11
Step 1: Preparing the Report	Page 11
Step 2: Publishing Draft Report	Page 11
Step 3: Submission to HUD	Page 12
VI. Amendments to Plans and Assessments	Page 12
Amendments to the Consolidated Plan or Annual Action Plan	Page 12
Substantial Amendment	Page 12
Emergency Amendment	Page 13
Minor Amendment	Page 13
Amendments to the Citizen Participation Plan	Page 13
VII. Technical Assistance	Page 14
VIII. Complaints	Page 14
IX. Anti-Displacement and Relocation Assistance	Page 15
X. COVID-19, Expedited Procedures, and Virtual Hearings	Page 15

Executive Summary

The City of Fargo receives funding from the U.S. Department of Housing and Urban Development (HUD) for two federal programs: the Community Development Block Grant (CDBG) and the HOME Investment Partnerships (HOME). The City then distributes this funding to Fargo organizations and residents.

As a recipient of these federal funds, the City is required to adopt, publish, and follow a Citizen Participation Plan. This document outlines when and how the City of Fargo will involve residents, business owners, and other stakeholders in identifying community needs and priorities for spending federal CDBG and HOME funds.

The Citizen Participation Plan involves citizens through public comment and public hearings in the following plans, assessments, and reports: Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, Consolidated Annual Performance and Evaluation Report, and any substantial amendments or revisions, and amendments to the Citizen Participation Plan.

The calendar below is an outline for the different types of public participation activities for HUD funded activities and when they occur. At a minimum, the City will hold two public hearings per program year, conducted at two different stages of the program year. This calendar is for illustrative purposes only. The dates of any activity listed are subject to change.

May 1	Beginning of program year
July	CAPER comment period (15 days) CAPER due to HUD by July 31
September - December	Community Consultations Public Hearing #1: Public Input Hearing (2 week notice)
October - January	Call for Proposals, Award Recommendations, drafting Action Plan
February - March	Public Hearing #2: Action Plan Public Hearing (2 week notice) Action Plan Public Comment Period (30 days) Action Plan Approved by City Commission
March 15	Action Plan Submission to HUD
April 30	End of program year

I. Introduction to Community Development and HUD Programs

What is Community Development?

Community Development is a practice involving research, evaluation, collaboration, and strategic planning, mostly associated with affordable housing, homelessness, employment, transportation, and community resources and assets (e.g., social, environmental, political, cultural, financial, etc.). The City of Fargo has a Community

Development (CD) Division within the Planning & Development Department. The CD Division is responsible for leading plan development of its Department of Housing and Urban Development (HUD) grants, which include the Community Development Block Grant (CDBG) and the HOME Investment Partnerships Grant (HOME). The City's Community Development Committee works with the Planning & Development Department to advise the City Commission regarding these grant funds. The City Commission maintains final approval of annual and consolidated plans and budgets.

Community Development Block Grant (CDBG)

The goal of the CDBG program is to develop viable urban communities by providing decent housing and a suitable living environment and expand economic opportunities principally for low- and moderate-income persons. It is a program designed to be flexible and tailored to community development needs and priorities. At least 70% of CDBG funds in a year must be used to benefit people with low and moderate incomes. Eligible activities under CDBG include, but are not limited to:

- Acquisition of real property
- Relocation and demolition
- Rehabilitation of residential and non-residential structures
- Construction of public facilities and improvements, such as water and sewer facilities, streets, neighborhood centers, and the conversion of school buildings for eligible purposes
- Public services, within certain limits
- Activities relating to energy conservation and renewable energy resources
- Provision of assistance to profit-motivated businesses to carry out economic development and job creation/retention activities

HOME Investment Partnerships (HOME)

The goal of the HOME program is to create affordable rental or ownership housing for low-income households. Because of this goal, outcomes and eligible activities under HOME are narrower than CDBG. However, there is still flexibility within these eligible activities to enable communities to respond to particular affordable housing challenges in their communities. All beneficiaries of HOME programs or projects must have incomes at or below 80% of the area median income (AMI). Specific activities under HOME may have stricter income requirements. Eligible activities under HOME include:

- New construction (ownership or rental)
- Rehabilitation (ownership or rental)
- Homebuyer Assistance
- Tenant-based Rental Assistance

II. Definition of Citizen Participation Plan Terms

This section contains definitions of frequently used terms and phrases used throughout the Citizen Participation Plan.

Low- and Moderate-Income Households and Neighborhoods

HUD regulations require that a minimum percent of funding must benefit people with low to moderate incomes. Depending on the program, HUD allows the City to use two methods to determine whether a program or project is benefitting people with low to moderate incomes. For the HOME program, the City may only use Method 1. For CDBG, the City may use either method.

These are general definitions. A project or program may have specific (or lower) income requirements to be considered initially eligible to participate.

Method 1: Low- to Moderate-Income Household: HUD defines low- to moderate-income thresholds based on area median income (AMI) and family size on an annual basis. AMI is the number at which half of all households' incomes are below and half are above. HUD generally considers a household as low- to moderate-income if its income is at or below 80% of the AMI.

Example: Sally lives alone and earns \$40,000 a year. The AMI of a one-person household in her area is \$100,000. Sally qualifies as low- to moderate-income because she earns 40% of the AMI.

Method 2: Low- to Moderate-Income Neighborhood ("Area Benefit"): This method does not look at the income of a specific household, but rather all the people living in a particular area. HUD uses estimates from the American Community Survey to determine whether 51% or more of people living in an area make 80% or less of AMI. If so, this area is considered to be a "low- to moderate-income area." The City follows determinations made by HUD as to which census tracts qualify.

Public Notice

Public notices are utilized to alert the public to a public comment period or to give adequate and timely notice of a public hearing or meeting. A public notice will be published in *The Forum* and on the City's website. Public notices will contain: a summary of the contents and purpose of the proposed plan or amendment, a list of locations where a full draft can be accessed, length of the public comment period, and how interested parties can submit comment.

In addition, public notices for public hearings/meetings will contain: a description of the meeting location as accessible to individuals with disabilities, information on how to request reasonable accommodations, the availability of language interpretation and/or translation services and how to request them, contact information for the Section 504

coordinator, state TTY/Relay information, and non-discrimination and equal employment/equal housing statements.

The City may also alert the public and interested community development partners through flyers, e-mail distribution lists, social media, press releases, and other methods.

Public Comment

During a public comment period, residents, public agencies, and other interested parties may submit comment the following ways:

- In writing:
 - In-person or mailed to City of Fargo, Planning & Development, 2nd Floor, 225 4th St N, Fargo, ND 58102
 - Via e-mail to Planning@FargoND.gov
 - Online via the Department's "Contact Us" page on the City of Fargo's website, currently located at: <http://fargond.gov/city-government/departments/planning-development/contact-us>
- Verbally:
 - Attending and speaking at the public hearing (as applicable)
 - Via telephone to the Planning & Development's office at 701.241.1474 TTY 800.366.6888 or 711
 - In-person to the Planning & Development's office, 2nd Floor, Fargo City Hall, 225 4th St N, Fargo, ND 58102

Planning & Development

Planning & Development is the department of the City of Fargo which administers HUD funds. When instructed in the Citizen Participation Plan to contact the Planning & Development Department, interested parties can do so in the following ways:

City of Fargo Planning and Development 225 4th Street North Fargo, ND 58102	E-mail: Planning@FargoND.gov Phone: 701.241.1474 TTY: 800.366.6888 or 711 Fax: 701.241.1526
--	--

III. Encouraging Citizen Participation

Citizen participation is essential to the City in identifying community development needs, assessing the effectiveness of ongoing housing and community development programs, and developing community development priorities. Citizen participation in the following HUD reports and plans is mandated. The reports and plans are listed below along with a brief description of the purpose of the plan or report.

Description of HUD Plans and Reports

1. Five-Year Consolidated Plan: The Five-Year Consolidated Plan (also referred to as the Five-Year Plan or Consolidated Plan) is a roadmap or framework for the City's priorities and goals related to housing and community development using federal funds. As part of the planning process, the City consults with residents and stakeholders as to the needs and market conditions to be able to make data-driven, place-based investment decisions. The City uses the Consolidated Plan to help make annual funding decisions and must demonstrate to HUD that annual projects align with the Consolidated Plan's goals, strategies, and priorities.
2. Substantial Amendment to the Consolidated Plan: From time to time, there may be a need to amend the goals, strategies, or priorities identified in the Consolidated Plan. Regulations allow for the City to amend the original document to change the purpose, location, scope, or beneficiaries of activities in order to reflect changes in the community or respond to the capacity of local organizations or the City to carry out the work.
3. Annual Action Plan: The Annual Action Plan identifies the specific projects or programs in the community which will receive funds from HUD programs. It provides a concise summary of the actions, activities, and the specific federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.
4. Substantial Amendment to the Annual Action Plan: As with the Consolidated Plan, the City may amend the purpose, location, scope, or beneficiaries of activities identified in an Annual Action Plan. This could occur to remove a program or project that is unable to come to fruition, or to add new projects or activities as needs arise. A substantial amendment to the Annual Action Plan may or may not require a substantial amendment to the Consolidated Plan.
5. Consolidated Annual Performance and Evaluation Report (CAPER): The CAPER is an annual report to HUD and the community about accomplishments and progress toward Consolidated Plan goals during the program year. The City also reports on the beneficiaries of projects and programs which received HUD funding to demonstrate compliance with civil rights requirements and ensure at least 70% of funding has benefitted low- to moderate-income neighborhoods or individuals. CAPERs are due 90 days after the close of the program year.
6. Analysis of Impediments to Fair Housing Choice (AI): The Analysis of Impediments to fair housing addresses patterns of integration and segregation; racially or ethnically concentrated areas of poverty; disparities in access to opportunity; and disproportionate housing needs. The AI helps to identify fair housing issues and related contributing factors. The City will then use this information to set goals to overcome fair housing issues and related contributing

factors. Those goals inform subsequent housing and community development planning processes.

Encouragement of Citizen Participation from Particular Groups

The City encourages all residents and stakeholders to participate in developing and implementing the plans and reports outlined in the previous section, “Description of HUD Plans and Reports.” The City especially encourages participation from the following:

1. Low- and moderate-income persons, particularly those persons:
 - a. living in areas designated by the City as a revitalization area
 - b. living in a slum and blighted area
 - c. living in areas where CDBG funds are proposed to be used
2. Residents of predominantly low- and moderate-income neighborhoods
3. Minorities
4. Non-English speaking persons
5. Persons with disabilities

The City also especially encourages participation from the following types of organizations in developing and implementing the Analysis of Impediments, Consolidated Plan, and Annual Action Plan:

1. Local and regional institutions
2. Continuums of Care
3. Other organizations, both private and public, such as businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations
4. In conjunction with consultation with the Fargo Housing and Redevelopment Authority (FHRA), the City will encourage the participation of residents of public and assisted housing developments including any resident advisory boards, resident councils, and resident management corporations
5. Other low-income residents of targeted revitalization areas in which the FHRA’s developments are located
6. FHRA will be provided information about Consolidated Plan activities, the Analysis of Impediments to Fair Housing Choice, and Affirmatively Furthering Fair Housing strategies and activities if those activities are related to the PHA’s developments and surrounding communities. FHRA will then make this information available at its annual public hearing(s) required for the PHA Plan.

The City will consult with the following in developing the Consolidated Plan:

1. Broadband internet service providers
2. Organizations engaged in narrowing the digital divide
3. Agencies whose primary responsibilities include the management of flood prone areas, public land, or water resources

4. Emergency management agencies

Community Development Mailing List

The City of Fargo's Planning & Development staff maintain a mailing and e-mail list of housing and community organizations in the area who have opted in. The City uses this list to keep in communication with organizations regarding community meetings, public hearings, requests for proposals, and more related to the City's HOME and CDBG programs. An organization can be placed on the mailing and/or e-mail list by contacting Planning & Development.

IV. Accessibility

Access to Meetings, Materials, and Records

Meetings and Public Hearings. The City provides citizens with reasonable and timely access to local meetings and public hearings. For the purposes of this section, "meetings" shall mean both meetings and public hearings. The notice period and location of notices are further detailed in Section V. Meetings will be held in a location accessible for those with disabilities. All public hearings and most public meetings are held at Fargo's City Hall, which was constructed in 2018 and is a fully accessible location serviced by public transit. If meetings are held in an alternative location, the City will locate a facility serviced by public transit and accessible to individuals with disabilities.

The City will provide translated document summaries, documents in alternative formats, or interpretative services at meetings for community members with a disability or limited English proficiency. The City will preemptively provide these services if a significant number of individuals with interpretation or translation needs are reasonably expected to participate. Public notices will indicate if these services are scheduled to be available at a meeting. Otherwise, the City will provide these reasonable accommodations to any individual with a requested notice of forty-eight (48) hours to Planning and Development. All public notices for meetings and hearings related to HUD programs will make note of the availability of these services and the contact information to request them.

Availability to the Public. The following documents, both proposed and as adopted, will be available to the public. A reasonable number of free copies will be provided upon request to Planning and Development. The documents will be made available in accessible formats (e.g. oral recordings, Braille, electronic, or large print) upon request to Planning and Development.

- Consolidated Plan
- Annual Action Plan
- Consolidated Annual Performance and Evaluation Report
- Substantial Amendments
- Citizen Participation Plan

- Analysis of Impediments to Fair Housing Choice (and any revisions)

Full-length draft documents will be made available to the public in the following ways.

Electronic Formats

- Online via the City's official website, www.FargoND.gov
- Via e-mailed PDF

Hard Copy Formats (during the location's normal business hours)

- Planning and Development at Fargo City Hall, 2nd Floor, 225 4th St N, Fargo, ND 58102
- Fargo Main Library at 102 3rd St N, Fargo, ND 58102
- Dr. James Carlson Library at 2801 32nd Ave S, Fargo, ND 58103
- Northport Library at 2714 Broadway N, Fargo, ND 58102
- Fargo Housing and Redevelopment Authority at 325 Broadway N, Fargo, ND 58102

Access to Records. The City will provide citizens, public agencies, and other interested parties with reasonable and timely access to information and records relating to the City's Consolidated Plan, Analysis of Impediments to Fair Housing Choice, and its use of assistance under HUD programs during the preceding five years. Requests can be made to Planning & Development. Costs for duplication of materials and staff time to produce records will be subject to North Dakota open records laws beginning at North Dakota Century Code §44-04-17.1. A reasonable number of free copies shall be provided.

Limited English Proficiency (LEP)

The City of Fargo has adopted a Language Access Plan which ensures the City will take reasonable steps to provide language assistance to ensure meaningful access to participation by non- or limited- English-speaking residents in federal programs. The City will provide: translated notices, translated summaries of plans and reports, translated application materials, oral interpretation of plans and reports, and oral interpretation at public meetings and hearings upon request to Planning and Development.

The City of Fargo is unaware of non-English language publications in which to publish public notices. However, there are many groups in the area which provide services to individuals with limited English proficiency. Notices of input meetings and public hearings will be sent to organizations which frequently work or come into contact with LEP individuals. This may include, but is not limited to, Fargo Public Schools' Adult Education Center, Cultural Diversity Resources, and the New American Consortium. Many other organizations engaged in this work are already on the Planning & Development Department's community development mailing list.

V. Development of Plans and Reports

The following sections define the steps the City will take to engage residents and stakeholders in developing the Consolidated Plan, the Annual Action Plan, Consolidated Annual Performance and Evaluation Report (CAPER), and the Analysis of Impediments to Fair Housing Choice (AI).

Consolidated Plan/Annual Action Plan/Analysis of Impediments

The public participation requirements for the Consolidated Plan, Annual Action Plan, and Analysis of Impediments to Fair Housing Choice are the same. During the initial year of a Consolidated Plan (e.g. 2020's Annual Action Plan under the 2020-2024 Five-Year Consolidated Plan), both the Consolidated Plan and the Action Plan will be prepared at the same time under the same public participation process. A new Analysis of Impediments to Fair Housing Choice will be conducted with each new Five-Year Consolidated Plan.

Step 1: Initial Public Input Hearing

The City of Fargo's Community Development division will convene a public hearing prior to publishing the Consolidated Plan/Annual Action Plan/Analysis of Impediments to Fair Housing Choice. This public hearing will obtain the views of citizens on housing and community development needs (including priority non-housing community development needs), the development of proposed activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the Analysis of Impediments to Fair Housing Choice (AI). It will also provide an overview of the previous program year's performance by presenting a summary of the previous year's Consolidated Annual Performance and Evaluation Report (CAPER).

Analysis of Impediments to Fair Housing Choice (AI) Only: As soon as is feasible, the public will be provided a link to the City's website where residents, public agencies, and other interested parties can access HUD-provided data and any other supplemental information the City plans to incorporate into the AI .

Hearing Time and Location. The initial public hearing during the development of the Consolidated Plan/Annual Action Plan/ Analysis of Impediments to Fair Housing Choice will be held at Fargo City Hall at 225 4th Street North, Fargo, ND 58102. The initial public input hearing may be in lieu of a regularly-scheduled Community Development Committee meeting, or it may be scheduled as a separate meeting. Public hearings are typically held during the day. The City may conduct a second public input meeting during the evening to reach more potential or actual beneficiaries of CDBG and HOME programs.

Public Notice. Public notice will be given no later than two (2) weeks before the public hearing. The public notice and materials available at the public hearing will contain the following information for citizens, public agencies, and other interested parties:

- A description of the funding sources available
- The amount of assistance the City expects to receive, including grant funds and program income
- The range of activities that may be undertaken
- Plans to minimize displacement of persons and to assist any persons displaced, with specific types and levels of assistance the City will make available (or require others to make available) to persons displaced, even if the City expects no displacement to occur. At the public hearing, copies of the City's Residential Anti-Displacement, Replacement Housing, and Relocation Assistance Plan will be available.
- The estimated amount that will benefit persons of low- and moderate-income
- The deadline for submitting proposals

Step 2: Call for Proposals

After the initial public input hearing, the City of Fargo's Community Development division will solicit proposals from community organizations for programs or projects to receive funding for the program year. All eligible projects and activities must be a HOME-eligible project or program; and/or meet one of the three national objectives of the CDBG program which are:

- Benefit to low- and moderate-income persons
- Addressing slums and blight, or
- Meeting a particular urgent community development need.

Planning & Development staff will make a preliminary determination of eligibility under federal rules and regulations and will review the proposals for completeness (threshold review). All proposals must be completed in their entirety and accurately describe the activity and/or project for which funds are requested.

After this initial eligibility review, staff will recommend projects to the Community Development Committee. The Community Development Committee will advise a selection of projects for funding to the City Commission.

The final stage of funding consideration will consist of a public hearing held at a City Commission meeting. In general, around 1-3 projects depending on funding will be approved for inclusion into that year's Annual Action Plan.

The City of Fargo may initiate a Call for Proposals throughout the program year as reprogrammed funds become available.

Step 3: 30 Day Public Comment Period and Public Hearing

Public Comment. After the City Commission approves the proposed budget and activities for the program year, City staff will draft the plan. Upon staff completion of the draft, it will be published for a public comment period of no less than thirty (30) days.

Public Notice. Public notice of the 30 day public comment period for the draft Consolidated Plan/Annual Action Plan/Analysis of Impediments to Fair Housing Choice will be published the day before the public comment period begins.

Public Hearing. During the public comment period, the City will hold a public hearing to receive comments on the proposed Consolidated Plan/Annual Action Plan/Analysis of Impediments to Fair Housing Choice during a regularly scheduled City Commission meeting. Notice of the public hearing will be published no less than two (2) weeks prior to the scheduled hearing. In most cases, the City expects to publish the notice of the public hearing concurrently with the public comment notice.

Step 4: Submission to HUD

At the conclusion of the public comment period, staff will compile a summary of comments or views received, and a summary of any comments or views not accepted and the reasons why and attach it to the final plan or Analysis of Impediments to Fair Housing Choice. This final document will be presented to the City Commission for approval. Once authorized to do so by the City Commission, staff will submit the final plan or AI to HUD.

Consolidated Annual Performance and Evaluation Report (CAPER)

The CAPER is an annual report to HUD and the community about accomplishments and progress toward Consolidated Plan goals during the program year. The City also reports on the beneficiaries of projects and programs which received HUD funding to demonstrate compliance with civil rights requirements and ensure at least 70% of funding has benefitted low- to moderate-income neighborhoods or individuals. CAPERs are due 90 days after the close of the program year unless granted an extension by HUD.

Step 1: Preparing the Report

Planning & Development Staff will draft the annual report (CAPER). During this time, staff will consult with community organizations and local agencies to solicit updated information about activities undertaken during the program year to further the goals of the Consolidated Plan/Annual Action Plan.

Step 2: Publishing Draft Report

Public Comment. Once complete, the draft CAPER shall be made publicly available for a public comment period of no less than fifteen (15) days.

Public Notice: Notice of the opening of the public comment period will be published the day before the public comment period begins.

Step 3: Submission to HUD

After the conclusion of the public comment period, Planning & Development staff will compile a summary of comments or views submitted during the public comment period, and a summary of any comments or views not accepted and the reasons why and attach it to the final CAPER. The CAPER will then be submitted to HUD.

VI. Amendments to Plans and Assessments

Amendments to the Consolidated Plan or Annual Action Plan

From time to time, changes in community conditions, City staff capacity, staff capacity of organizations receiving HUD funding, or written direction from HUD may require the City to amend a Consolidated Plan or Annual Action Plan. The following decisions require an amendment to a Consolidated Plan or Action Plan:

- A change in allocation priorities
- A change in the method of distribution of funds
- Carrying out an activity, using funds from any program covered by the consolidated plan (including program income, reimbursements, repayment, recaptures, or reallocations from HUD), not previously described in the action plan
- A change in the purpose, scope, location, or beneficiaries of an activity

Substantial Amendment

An amendment is considered substantial when:

1. Changes in the use of CDBG funds from one eligible activity to another are made
2. Changes in funding by at least 10% of the amount allocated to the City's entitlement grant programs for that program year are made
3. A deletion of an activity or project described in the Consolidated Plan or Action Plan occurs
4. An addition of an activity or project not described in the Consolidated Plan or Action Plan occurs
5. Major changes in the purpose, scope, location, or beneficiaries of an activity are made

Public Comment. The proposed substantial amendment shall be made publicly available for a public comment period of no less than thirty (30) days.

During the public comment period, the proposed amendment will be electronically distributed to the Community Development Committee. Staff may present a summary in person to the Committee in addition to the electronic distribution.

Public Notice: Notice of the 30 day public comment period will be published the day before the public comment period begins.

Public Hearing: During the public comment period, the City will hold a public hearing to receive comments on the proposed amendment during a regularly scheduled City Commission meeting. Notice of the public hearing to receive comments on the proposed amendment will be published no less than two (2) weeks prior to the scheduled hearing. In most cases, the City expects to publish the notice of the public hearing concurrently with the public comment notice.

Approval: At the conclusion of the public comment period and prior to the City Commission taking action, staff will compile a summary of comments or views received, and a summary of any comments or views not accepted and the reasons why and attach it to the final substantial amendment. This final document will be presented to the City Commission for approval. The City Commission may make the proposed change, reject the proposed change, or make a modified change. Once authorized to do so by the City Commission, staff will submit the amended plan to HUD.

Emergency Amendment

An emergency amendment is developed in response to a local emergency and will typically be consistent with HUD's "urgent need" criteria. Notice of proposed emergency changes will be published in *The Forum* at least seven (7) days prior to the City Commission meeting at which the change will be considered. The City Commission, prior to taking action, will consider all comments on the proposed change. The City Commission may make the proposed change, reject the proposed change, or make a modified change. The Planning & Development department will provide an explanation for public review of written comments and other public comments not accepted by the City Commission.

Minor Amendment

Any changes to the Assessment of Fair Housing, Five-Year Consolidated Plan, or Annual Action Plan not meeting the criteria described in this section will be considered a minor amendment or revision. Such changes will not be published or subject to a public participation process nor will they require approval by the City Commission.

Amendments to the Citizen Participation Plan

An amendment to the Citizen Participation Plan consists of a change to the method and/or process of citizen participation in development and evaluation of HUD-funded programs. Updates to fix typographical errors, website links, or update contact information will not be considered an amendment to the Citizen Participation Plan and will not be published for public comment or require committee approval.

Public Comment: The amended version of the Citizen Participation Plan shall be made publicly available for a public comment period of no less than thirty (30) days.

Public Notice: Notice of the 30 day public comment period will be published the day before the public comment period begins

Public Hearing: During the 30 day public comment period, the City will hold a public hearing to receive comments on the proposed Citizen Participation Plan during a regularly scheduled City Commission meeting. Notice of the public hearing to receive comments will be published no less than two (2) weeks prior to the scheduled hearing. In most cases, the City expects to publish the notice of the public hearing concurrently with the notice of the opening of the 30 day public comment period.

Approval: The City Commission may make the proposed change, reject the proposed change, or make a modified change.

VII. Technical Assistance

Planning & Development staff will provide technical assistance to groups representative of persons of low- and moderate-income that request such assistance in commenting on the Assessment of Fair Housing and in developing proposals for funding assistance under funding programs described in the Five-Year Consolidated Plan and Annual Action Plan. The City will determine the level and type of assistance provided to a group on a case-by-case basis. Technical assistance provided by the City will not include the provision of funds to the group or grant writing.

VIII. Complaints

Individuals or agencies with complaints related to the Consolidated Plan, Action Plan, Assessment of Fair Housing, amendments or revisions, or the performance report may submit a written complaint to the Planning & Development Department:

City of Fargo
Planning & Development Department
225 4th Street N
Fargo, ND 58102

Planning@FargoND.gov (e-mail)

<http://fargond.gov/city-government/departments/planning-development/contact-us> (web)

Response: Anyone who submits a written complaint to the Planning & Development Department will receive a written response within fifteen (15) working days where practicable. If a substantive written response is not practicable within that time frame, a written acknowledgement will be mailed within fifteen working days and include an estimate for when a substantive written response can be expected.

IX. Anti-Displacement and Relocation Assistance

The City of Fargo has adopted a Residential Anti-Displacement, Replacement Housing, and Relocation Assistance Plan in order to minimize the displacement of persons from their homes in projects receiving CDBG and HOME funds to the maximum extent possible. A copy of the plan is available to the public at the City's Planning & Development office on the second floor of Fargo City Hall, 225 4th Street N, Fargo, ND 58102.

In the event that during a project using CDBG or HOME funds an occupied dwelling must be acquired and demolished, the City will comply with the provisions of the Uniform Relocation Assistance and Real Property Acquisitions Policies Act of 1970, as amended, as well as any other relocation regulations imposed by HUD.

X. COVID-19, Expedited Procedures, and Virtual Hearings

This section of the Citizen Participation Plan explains how the City will communicate and take comment from the public under expedited procedures in the event of a public health emergency or disaster and upon direction from HUD. These expedited procedures can apply to drafting, proposing, or amending a consolidated plan, annual action plan, or the citizen participation plan.

Public Comment. The proposed draft plan or amendment shall be made publicly available for a public comment period of no less than five (5) days.

Public Notice. Notice of the opening of the public comment period will be published the day before the public comment period begins.

Public Hearing. An in-person public hearing is not required if national and/or local health authorities recommend social distancing and limited public gatherings for public health reasons and a virtual hearing provides reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses.

In this situation, the City may hold a virtual public hearing on the proposed draft or amendment. The public notice advertising the 5-day public comment period shall also notify the public of the date of the virtual public hearing, information on how to view the virtual hearing, and information on how to participate in the virtual hearing. Prior to the virtual public hearing, staff will compile a summary of comments or views received, and a summary of any comments or views not accepted and the reasons why and present those at the virtual public hearing and attach them to the draft plan or amendment. The City Commission may accept the proposed plan or amendment, reject the proposed change or amendment, or make a modified change. Once authorized to do so by the City Commission, staff will submit the plan or amendment to HUD.

CAPER. Due to the COVID-19 emergency, HUD has allowed for a delayed submission of the City's Consolidated Annual Performance and Evaluation Report, or CAPER. As long as the waiver is in place, a CAPER will be due no later than 180 days (instead of 90 days) after the end of the program year. At a minimum, this means the City's 2019 CAPER is due no later than October 27, 2020.