

**City of St. George**

**Citizen Participation Plan  
&  
Effective Communication Policy**

**Adopted June 2020**

City of St. George  
175 East 200 North  
St. George, Utah 84770

## Introduction

Each year, the City of St. George receives funding through the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) program. As a requirement for receiving these funds, the City must complete several planning and reporting reports to be submitted to HUD for approval. These reports include:

- 1) Five Year Consolidated Plan (ConPlan);
- 2) Annual Action Plan (AAP);
- 3) Consolidated Annual Performance Evaluation Report (CAPER);
- 4) Citizen Participation Plan; and
- 5) A Substantial Amendment to any of the above plans or reports (as defined below)

Citizen Participation must be an integral part of the planning process for the Consolidated Submission for all Community Planning and Development Programs (CPD). Much of the citizen participation process involves scheduling, publicizing and conducting public meetings and hearings. HUD, in its attempt to ensure adequate opportunity for participation by program beneficiaries, has prescribed minimum Citizen Participation, plan submission, performance reporting, and record maintenance requirements. These Citizen Participation Requirements are spelled out under 24 Code of Federal Regulations (CFR) Part 91.105.

The CDBG Program is administered by the Community Development Department (CD) of the City of St. George. The local citizen participation process generally includes a yearly series of well advertised community/neighborhood public meetings held at City Hall, to review the Annual Action Plan and the Consolidated Annual Performance Evaluation Report as well as any amendments or changes to the Consolidated Plan. All meetings/hearings are advertised in accordance with applicable HUD, state and local regulations. Public notices for environmental procedures and project related purposes are also part of the citizen participation process. The Analysis of Impediments to Fair Housing Choice (AI) does not require citizen participation.

According to HUD "For CDBG, a person is considered to be of low income only if he or she is a member of a household whose income would qualify as "very low income" under the Section 8 Housing Assistance Payments program. Generally, these Section 8 limits are based on 50% of area median. Similarly, CDBG moderate income relies on Section 8 "lower income" limits, which are generally tied to 80% of area median."<sup>1</sup> In other words, the definition of low income is less than or equal to 50% of St George's Area Median Income (AMI); and the definition of moderate income is less than or equal to 80% AMI.

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[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/comm\\_planning/communitydevelopment/rulesandregs/memoranda/lmidf84](http://portal.hud.gov/hudportal/HUD?src=/program_offices/comm_planning/communitydevelopment/rulesandregs/memoranda/lmidf84)

## Public Notice

To encourage low- and moderate-income persons to attend and participate, the annual community meetings/hearings are held in the early evening, Monday through Thursday at City Hall. CD Department staff also tries to avoid scheduling meetings on nights common with other major events which may require the participation of affected area residents and community leaders. When required, public hearings are conducted by the City Council and are held at City Council Chambers, 175 East 200 North, St. George, Utah.

All public meetings/hearings will be announced at least ten (10) calendar days before the date of the meeting. The CD Department will utilize the following media to notify program beneficiaries regarding upcoming meetings.

- A. Newspaper advertisements, of no smaller than eight (8) point size, are published in adjudicated newspapers serving the City. Each publication is published at least ten (10) calendar days before the date of the meeting and/or publication of plans and reports.
- B. The CD Department may request public service announcement air time from local radio and television stations as an additional means of notifying the public about the community meetings. Public service announcements are sent to the radio and television stations at least 3 to 4 weeks in advance of the proposed air date.
- C. All public notices except those dealing with the environment are typically published on the City's website, in a newspaper of general circulation (the Spectrum) and in a Spanish Language newspaper (if available) in Spanish to specifically targeted residents of City program areas. Environmental notices are typically published in English in the Spectrum.

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## **Public Meetings & Hearings**

At least two public hearings must be held each year. One of which must be held as part of the Consolidated Plan and/or Annual Action Plan and a second public meeting must be held to provide information related to the CAPER which details the City's performance towards meeting annual goals and objectives for the CDBG Program. Additional public meetings may be held at the discretion of City staff.

The meetings/hearings will serve several purposes:

- 1) inform potential recipients of the functions of the CD Department and its relationship to both St. George's City Council and HUD;
- 2) explain the rules and regulations governing the CDBG program;
- 3) explain how the program relates to the needs of individuals/neighborhoods/non-profit organizations, etc.;
- 4) provide information regarding the amount of CDBG funds expected to become available;
- 5) explain the types of eligible activities;
- 6) discuss the status of previously funded activities;
- 7) determine citizen's perceived housing and non-housing community development needs and possible activities to address those needs;
- 8) review of performance and compliance issues;
- 9) detail the City's plan to minimize displacement;
- 10) and receive comments, input and feedback related to each plan and/or report.

## **Publication of Plans & Reports**

The Community Development Department will publish, and make available to the public before City Council approval, the following plans and reports:

- 1) Five Year Consolidated Plan
- 2) Annual Action Plan
- 3) Consolidated Annual Performance Evaluation Report
- 4) Citizen Participation Plan
- 5) A Substantial Amendment to any of the above plans or reports (as defined below)

The publication is made to afford citizens an opportunity to examine the documents' contents, and to provide further opportunity for comments (written and orally) and citizen feedback regarding the proposed document. Publication of the Analysis of Impediments to Fair Housing Choice before being considered for approval by the City Council is not required.

A brief summary of each plan and/or report listed above is to be published in a newspaper of general circulation (the Spectrum), and in a local Spanish Language newspaper in Spanish (if available). The publication will be printed a minimum of thirty (30) calendar days prior to it being considered for approval by the City Council. The announcement will also include instructions as to where citizens may find a full copy of the proposed plan and/or report for further review.

Additionally, all required plans and reports, listed above, will be made available, in their entirety, for further review in the following manner: 1) a PDF copy available on the City's website 2) hard copies available for review at the City offices and 3) hard copies available at the St. George Branch of the Washington County Library. Furthermore, copies of the proposed plan and/or report will be made available, free of charge, for individuals who request them.

A period of no less than thirty (30) days will be made available for public review and comment for the Consolidated Plan, Annual Action Plan, Citizen Participation Plan, and any Substantial Amendments to the Consolidated Plan or the Citizen Participation Plan.

The City will make any Substantial Amendment to an Annual Action Plan available for public comment for a minimum of fifteen (15) calendar days prior to finalization by City staff.

The City will make the Consolidated Annual Performance and Evaluation Report available for public comment for a minimum of fifteen (15) calendar days prior to finalization by City staff.

## **Amendments to Plans & Reports**

In the event the City needs to make changes to the Consolidated Plan and/or the Annual Action Plan, the City must determine the nature of the required changes and in such cases where the changes are considered substantial, the City must produce what HUD refers to as a Substantial Amendment to the Consolidated Plan and/or Annual Action Plan.

The Substantial Amendment process will occur when the following program changes exist:

To the Consolidated Plan:

- 1) there is a change to the Priority Needs identified in the Strategic Plan;
- 2) there is a change to the Goals and Objectives identified in the Strategic Plan;
- 3) there is a change to the Target Geographies/Areas identified in the Strategic Plan; and
- 4) new entitlement grants are awarded to the City.

To the Annual Action Plan:

- 1) there is a change to the Annual Goals and Objectives identified in the Action Plan;
- 2) there is a change to the Target Geographies/Areas identified in the Action Plan
- 3) when a Project previously described in the Action Plan is canceled;
- 4) creation of a new Project not previously described in the Action Plan;
- 5) the funding allocated to an existing Project is adjusted by whichever is greater: 20%, or more, or \$25,000 of the initial funding amount; and
- 6) revision to an existing project which changes the purpose, scope, location, or beneficiaries of the program.

All other changes will be considered revisions (non-substantial) and will be accomplished administratively by the Community Development Department.

Prior to amending a Consolidated Plan and/or Annual Action Plan, City will provide citizens with reasonable notice of, and opportunity to comment on, proposed program changes in its use of Action Plan funds for a project (either funded in whole or in part). This involves a 30-day review period for the Consolidated Plan and a 15-day review period for the Annual Action Plan. A summary of citizen comments or views and the reasons any such comments or views were not accepted will be attached to amendments of the Plan. The City will consider any such comments, and if the grantee deems appropriate, modify the changes.

## **CARES Act Flexibility for CDBG Funds Used to Support Coronavirus Response**

In response to the coronavirus, the City of St. George may temporarily utilize the waivers allowed per the CARES Act.

The City will establish an expedited procedure to draft, propose, or amend consolidated plans. Expedited procedures must include notice and reasonable opportunity to comment of no less than 5 days. The 5-day period can run concurrently for comments on the action plan amendment and amended citizen participation plans.

In person public hearings are not required. Grantees may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide 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.

## **Citizen Comments & Feedback**

During all public meetings and hearings citizens are encouraged to comment or submit written comments/complaints to the CD Department concerning the proposed plans, reports and the performance of the CD Department and/or other City departments and entities under contract with the City for the implementation of program related activities. All comments, written and oral, will be accepted and included as part of the citizen participation records for the associated plan and/or report.

Citizens may also provide written and oral comments at public hearings and written feedback via mail addressed to the following:

City of St. George  
Community Development Department  
Attention: Genna Goodwin  
175 East 200 North,  
St. George, Utah 84770.

Ms. Genna Singh may also be reached by telephone for oral comments and email comments at (435) 627-4450 and [genna.goodwin@sgcity.org](mailto:genna.goodwin@sgcity.org)

When responses are warranted, written comments/complaints regarding any facet of the CDBG Program or its implementation in St. George are answered in writing. Unless specific circumstances exist which prevent immediate action, written replies are mailed within fifteen (15) working days, where practical, after receipt of the written comment/complaint (or oral comment/complaint if made during a public meeting/hearing).

## **Accessibility of Meetings & Documents**

### Bilingual Information

With at least one business day of advanced notice Spanish translators will be provided at public meetings. Public notices will be published in Spanish in a Spanish Language newspaper if available. Translation services will also be provided for persons who may need assistance reviewing printed documents, reports and/or other related materials. Citizens may contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance to request such services.

### American With Disabilities Act (ADA) - 1973 Rehabilitation Act

With at least one business day of advanced notice, the department will provide assistance and special arrangements for those who are disabled in order to provide information and services concerning federally funded programs. All City CDBG related plans will be placed in the St George Branch of the Washington County Library. The library has reader magnification machines to aid the visually handicapped read CD records. Proposed CDBG plans are placed on the CD Department's website at: <https://www.sgcity.org/economicdevelopment/>. All visual aids used in the City Council chambers are projected on to two large screens to help all sighted people to see them better. All public meetings are held in buildings which are accessible to the handicapped. Citizens may contact the City Human Resources Office at (435) 627-4674 at least 24 hours in advance to request such services.

### Utah Relay (TTY)

7-1-1 is the statewide and nationwide telephone relay number that connects standard (voice) telephone users with the deaf, hard of hearing, and/or speech disabled people who use text telephones (TTY's). Residents should dial 7-1-1 to connect with Relay Utah, or 888-346-3162 for Spanish Relay Utah.

## **Additional Citizen Participation Activities**

### Consultation of Area Agencies

Under 24 CFR.91.100 (a)(1) as part of the Consolidated Plan development processes, the City will consult with other public and private agencies that provide assisted housing, health services, and social services, including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, and homeless persons. The City will also consult with community-based and regionally-based organizations that represent protected class members and organizations that enforce fair housing laws when preparing the Consolidated Plan including, Fair Housing organizations, nonprofit organizations that receive funding under the Fair Housing Initiative Program and other public and private fair housing service agencies, to the extent that such entities operate within the jurisdiction. Additionally, the consultation process will include consultation with regional government agencies in addition to adjacent units of general local government and local government agencies. This includes local government agencies with metropolitan-wide planning and transportation responsibilities, partially for problems and solutions that go beyond the City's jurisdiction.

Under 24 CFR.91.100 (c)(1) as part of the Consolidated Plan development processes, the City will also consult with public housing authorities (PHAs) operating within the jurisdiction. This consultation will continue to consider public housing needs, planned programs and activities under the Consolidated Plan specifically to address any fair housing issues in the public housing and Housing Choice Voucher programs. The consultation process requires the City to address the needs of public housing and, where necessary, the manner in which it will provide financial or other assistance to a troubled PHA to improve the PHA's operations and remove the designation of troubled.

### Public Access to Records

The CD Department maintains copies of all plans, reports and amendments for each program year in the CD Department office. Additionally, the CD Department maintains a library of rules, regulations, and records required by HUD and the City of St. George. This library of records includes records related not only to the plans and reports but also all programmatic documents, meeting notes, written and oral comments received, environmental reviews, office publications, etc., produced since the inception of the Community Development Block Grant (CDBG) Program in St. George. This information is available for public review and copying during normal business hours, provided that the requested document is public information pursuant to applicable federal, state, and local laws. The City Recorder is consulted if a question arises regarding a specific requested document.

### Public Access to Data Sources

As part of the Consolidated Plan development process, the City will utilize HUD provided data sets and mapping tools. When applicable, the City will reference these data sets in plans and reports as well as provide a link to such data sources within the draft documents. This will provide citizens and community stakeholders the opportunity to review the data utilized to set priority needs, goals and objectives.

### Residents of Public and Assisted Housing

Residents of public and assisted housing are stake holders with HUD in that they receive rental assistance from HUD. These residents are therefore encouraged to participate in the planning and execution of the CDBG Program, because they are also eligible to benefit from the expenditure of CDBG funds.

### Environmental Review

In certain instances, the participation consists of publication of specific actions/findings, including a description of the project, its locations, submission of relevant data to applicable local, state and federal agencies for review and comment, and the Community Development Director's approval of federal environmental findings relating to the Request for Release of funds from HUD.

### Miscellaneous and Informal Meetings

CD Department staff attends and/or conducts miscellaneous meetings and hearings throughout the program year. While many of these meetings are project specific, many others are held at the request of individuals, groups, other City departments or City Council members for the purpose of disseminating or receiving information about the CDBG Program in general, or about issues of specific interest. These meetings generally are not advertised, since the meeting is attended by the parties requesting the meeting, CD Department staff and various other invited participants.

The CD Department maintains an Initial Contact/Proposed Project file and Citizen Comment/Complaint file. These mechanisms allow the CD Department to record correspondence with individuals and/or organizations that submit proposals or make comments or requests of the CD Department during the program year. Requests, proposals and questions received during the program year are researched and discussed during applicable local public meetings and during the planning of subsequent programs. This information is on file in the CD Department Office and is processed at a time appropriate to the nature of the specific contact.

### Technical Assistance

Pursuant to the Housing and Community Development Act of 1974 (as amended) and its implementing federal regulations, the City CD Department will provide technical assistance when requested by public and private agencies, non-profit public benefit organizations and individuals for the purpose of assisting the agency or individual in developing its proposal for consideration of Consolidated Plan funding, provided the proposal is eligible and qualifies per HUD regulations. Technical assistance shall include but not be limited to:

- A. Assisting in better defining the proposal by outlining specific information the applicant(s) should gather and include in their proposal.
- B. Referring applicant to other public and private agencies which may help gather or provide needed information and/or technical assistance.
- C. Developing preliminary cost estimates for the proposal.
- D. Preparing very basic conceptual descriptions and/or drawing of the proposal.
- E. Providing for final review of the proposal for completeness prior to its official submission to the CD Department for consideration for funding.

In addition to the technical assistance for development of proposals, the CD Department will continue providing assistance for implementation; administration and monitoring of CDBG funded projects. This assistance includes such things as:

- A. Obtaining environmental clearance for projects.

- B. In certain instances (depending on staff work load), implementing activities on behalf of the subrecipient.
- C. Providing guidance in the solicitation and contracting process for hiring a consultant to insure compliance with applicable local, state and federal regulations.
- D. Assisting in reviewing and monitoring consultant's work.
- E. Providing guidance in bid advertisement for construction to insure compliance with all applicable requirements.
- F. Assisting in monitoring contractors and subcontractors during and after construction for compliance with HUD regulations.
- G. Acting as mediator in disputes between subrecipient and contractor.
- H. Providing CDBG application workshops for nonprofit organizations.

Plans to Minimize Displacement of Persons and to Assist any Persons Displaced

The City of St. George in accordance with the Uniform relocation Assistance and real Property Acquisition Policies Act of 1970, the 1988 Common Rule, and the 1989 Barney Frank Act, will provide relocation assistance, as describe in 24 CFR 570.606(b)(2), to each low/moderate-income household displaced by the demolition of housing or by the conversion of a low/moderate-income dwelling to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the Act, the City of St George will include, but not be limited to, the following steps to minimize the displacement of persons from their homes:

1. Avoid, as much as possible, Action Plan funded projects which permanently displace persons from their homes.
2. Fully advise any residents who may be displaced of their rights and options for relocation benefits as required by federal regulations.
3. Assist displaced residents in filling out any required forms for assistance or to appeal City decisions regarding displacement or the level of relocation benefits.

### Complaints

Citizens wishing to submit a complaint regarding any portion of the citizen participation process and/or development of the CDBG application, Consolidated Plan, Performance Report or amendment to the Consolidated Plan, may do so according to the following procedure:

1. Formal complaints should be submitted in writing to:

City of St. George  
Community Development Department  
Attn: Genna Goodwin  
175 East 200 North  
St. George, Utah 84770

The Community Development Director will refer the complaint to the appropriate city staff member for written response regarding the complaint. The written response will be mailed within fifteen business days of the receipt of the complaint.

2. If the complainant is not satisfied with the Community Development Department's response, the complainant can appeal the decision to the St. George City Manager. The City Manager will have thirty business days to take further action as deemed necessary to address the complainant's concerns.
3. If the complainant is not satisfied with the response of the City Manager a formal complaint may be addressed to the St. George Mayor and City Council.
4. If complainants are not satisfied with the decision of the City Council, a written complaint may be submitted to the HUD Regional Office at 1670 Broadway Street, Denver, CO 80202.

## **Effective Communication Policy**

### Purpose

The Community Development Department (CD) of the City of St. George will work to ensure that communications with applicants, residents, program participants, employees and members of the public with disabilities are as effective as communication with others. The City will furnish appropriate auxiliary aids and services, as necessary, to afford individuals with disabilities equal opportunity to participate in and enjoy the benefits of the programs, services and activities associated with the City's CDBG program and its related activities. This includes assistance for individuals with hearing, visual or cognitive disabilities.

### Intent of Policy

This policy establishes procedures to ensure communication from and with the Community Development Department of the City of St. George, Utah is as effective with applicants, beneficiaries and members of the public with disabilities as it is with others. The policy, in recognition of the Rehabilitation Act of 1973, protects qualified individuals from discrimination based on their ability. It prevents the City, in its administration of CDBG funds, and program sub-grantees from excluding or denying individuals with disabilities an equal opportunity to receive program benefits and services.

### Requests for Effective Communication

An individual requiring auxiliary aids or services for public events such as public hearings, public meetings, workshops, etc., shall make their request at least one (1) day prior to the event. The request will be submitted to the City's Section 504 Coordinator, with all requests being time- and date-stamped upon receipt by the Coordinator. In providing auxiliary aids or services, the City will endeavor to ensure, to the maximum extent possible, the benefits and service of the program or activity will be made available to individuals with disabilities. Within one (1) business day of receipt of a request for effective communication, the City's Section 504 Coordinator will consult with the individual making the request, as to the type of auxiliary aid or service needed. Either the individual needing assistance or their representative will be given the opportunity to request the auxiliary aid or service of choice. The City will honor the requested choice, unless it can be shown that another equally effective means of communication is available, and that providing the means requested would result in either an unwarranted alteration to the fundamental nature of the service, program or activity, or else an undue financial costs or administrative burden. If it is found the preferred type of auxiliary aid or service is not practicable or readily available, the Coordinator will attempt to ascertain whether an alternative means of communication will ensure sufficient and effective communication.

Within one (1) business day following receipt of a request for effective communication, the Section 504 Coordinator will provide the requestor with notification of the auxiliary aid or service to be provided.

The Section 504 Coordinator will maintain copies of all requests for effective communication, including final disposition, for a period of three (3) years from the date of final disposition.

### Auxiliary Aids and Services

Refers to aids and services that are not necessarily provided by City staff and which includes, but is not limited to: 1) Utah-certified sign language interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening devices, public telephones compatible with hearing aids, information on and access to TTY/DD services through Utah Relay, and other effective methods of making aurally delivered materials available to individuals with hearing impairments, and 2) qualified readers, taped texts, digital audio recordings, Brailled materials, large print materials or other

effective methods of making visually delivered materials available to individuals with visual impairments.

#### Grievance Procedures

If the requesting individual is not satisfied with the response to the request(s) for an auxiliary aid or service, the individual may file a grievance, including appropriate supporting documentation, if any, with the City's Section 504 Coordinator.

The grievance may be communicated orally, in writing or by any other equally effective means of communication. However, all oral grievances must be reduced to writing by either the complainant, or else the City's Section 504 Coordinator, and maintained on file in the Coordinator's office. In addition, the City's Section 504 Coordinator will provide assistance to any individual who requests assistance in filing a grievance. Upon receipt, all grievances will be time- and date-stamped.

Within ten (10) business days after receipt of the grievance, the City 's Section 504 Coordinator, will provide in writing, a formal decision regarding the grievance.

If the individual is dissatisfied with the determination of the Section 504/ADA Coordinator, the individual may file the grievance with the City Manager. The City Manager will review the complaint and respond in writing to the filer of the grievance within ten (10) business days.

#### CDBG Subgrantee & Subrecipient Responsibility

The City of St. George requires all sub-grantees of the City's CDBG program, to comply with Federal Section 504 and ADA regulations and to develop their own Effective Communication Policies. The City's CDBG Administrator will monitor compliance with these regulations and provide related training as necessary.

#### Non-Discrimination Notice

All persons will be treated fairly and equally without regard to race, color, religion, sex, familial status, disability, national origin or gender identity/sexual orientation in compliance with the Federal Fair Housing Act and Equal Access in Accordance with an Individual's Gender Identity in CPD programs Final Rule.

#### Section 504 Notice

The City of St. George does not discriminate in admission or access to, or treatment or employment in, its federally assisted programs and activities.

#### **City of St. George Section 504 Coordinator:**

Sharon Hokanson - Human Resource Director  
City of St. George  
175 East 200 North  
St. George, Utah 84770

Office: 435-627-4674  
email: [sharon.hokanson@sgcity.org](mailto:sharon.hokanson@sgcity.org)

Dial 7-1-1 to connect with Relay Utah, or 888-346-3162 for Spanish Relay Utah