

CITIZENS' PARTICIPATION PLAN

FOR THE LUZERNE COUNTY

COMMUNITY DEVELOPMENT PROGRAM

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As required by the Department of Housing and Urban Development (HUD) Rules and Regulations, Luzerne County complies with regulation [24 CFR 91.105](#), Citizen Participation Plan for local governments. The County has adopted a citizen's participation plan on November 5, 2018 that sets forth the County's policies and procedures for citizen participation.

Luzerne County's Citizens' Participation Plan is designed to insure that the public interest is protected through provision of adequate opportunity for citizens participation in implementing and carrying out activities under the Community Development Block Grant (CDBG), Emergency Solutions Grants (ESG), HOME Investment Partnerships Programs (HOME), Affirmatively Furthering Fair Housing (AFH), and other federally funded formula grant programs, as described in regulations governing submission of the Consolidated Plan, as amended published in the Federal Register on December 5, 2011, and hereinafter referred to as the Community Development Program(s).

The documents and reports subject to this Citizen Participation Plan are:

- ✓ The 5-year Consolidated Plan
- ✓ The Annual Action Plan
- ✓ The Consolidated Annual Performance and Evaluation Report (CAPER)
- ✓ The Affirmatively Furthering Fair Housing (AFH), and/or the Analysis of Impediments to Fair Housing (AI) plans

This plan is intended to establish minimum requirements to ensure citizen involvement in the planning of activities under the afore-mentioned programs. The plan in no way restricts the County from providing additional information and assistance when deemed to be in the best interest of the citizens of Luzerne County. Luzerne County's plan for citizen's participation shall:

- Provide for and encourage the involvement of interested citizens and organizations, particularly persons of low and moderate income who are residents of slum and blighted areas, or low- and moderate-income neighborhoods as identified by each jurisdiction within the County, and in areas where CDBG funds are proposed to be used.
- Provide for full public access to program information and affirmative efforts to make adequate information available to citizens, the County also is expected to take whatever actions are appropriate to encourage the participation of all its citizens, including minorities and non-English-speaking persons, as well as persons with disabilities. The County shall encourage the participation of local and regional institutions and other organizations (including businesses, developers, and community and faith-based organizations) in the process of developing and implementing the Consolidated Plan and the AFH. The County shall also explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance, e.g., use of focus groups, and use of the Internet, web-based surveys, etc.

- Provide reasonable translation services for any public meeting or public hearing, if the request for such services is requested five business days in advance of the meeting. In addition, all meetings will be conducted in areas that are accessible to persons with disabilities.
- For persons with Limited English Proficiency (LEP), the Luzerne County Community Development Office will utilize the data available in the Lackawanna-Luzerne Transportation Study Limited-English Proficiency Plan dated December 2015. The Luzerne County Community Development Office works closely with the local Commission on Economic Opportunity to provide translation services for meetings and critical documents.
- Provide for and encourage the participation of local and regional institutions, including, but not limited to the homeless Continuum of Care (CoC) and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing the Consolidated Plan.
- When preparing the Consolidated Plan and describing the County's homeless strategy and the resources available to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) and persons at risk of homelessness, the County will consult with representatives from local Continuum of Care; public and private agencies that address housing, health, social service, victim services, employment, or education needs of low-income individuals and families; homeless individuals and families, including homeless veterans; youth; and/or other persons with special needs; publicly funded institutions and systems of care that may discharge persons into homelessness (such as health-care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); and business and civic leaders.
- The County will consult with the Continuums of Care in determining how to allocate its ESG grant for eligible activities; in developing the performance standards for, and evaluating the outcomes of, projects and activities assisted by ESG funds; and in developing funding, policies, and procedures for the operation and administration of the Homeless Management and Information System (HMIS).
- When preparing the portion of the Consolidated Plan concerning lead-based paint hazards, the County shall consult with State or local health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead poisoned.
- Provide for and encourage, in conjunction with consultation with the Luzerne County and several municipal public housing agencies, the participation of residents of public and assisted housing developments, in the process of developing and implementing the Consolidated Plan, Annual Action Plan, or AFH along with other low-income residents of targeted revitalization areas in which the developments are located. The County shall provide information to the Public Housing Agency(s) about Consolidated Plan activities related to its developments and surrounding communities so that the Public Housing Agency(s) can make this information available at the annual public hearing(s) required for the PHA Plan(s).

- Provide information to citizens, public agencies, and other interested parties that includes
 - the amount of assistance the County expects to receive, including specific grant funds,
 - the amount of available unspent prior year's funds, and
 - the estimated amount of expected program income.
- Provide for consultations that shall include broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies in the process of developing the consolidated plan.
- Provide for and encourage citizens' submission of views, proposals, input and/or complaints regarding the development and performance of the Community Development Program. In order to stimulate and encourage citizens participation in the County's Community Development Program, the County shall, adhere to the requirements contained herein.

1. PUBLIC HEARINGS

- a. The County shall provide citizens with reasonable and timely access to local public meetings relating to the County's proposed and actual use of funds under the Community Development Program, and the development of an AFH by holding at least two public hearings per year to provide information to citizens, obtain their views and to respond to proposals and questions. Public Hearings will be conducted at a minimum of two different stages in the program year. At a minimum:
 - i. One public hearing shall be conducted to address the County's housing and community development needs and the development of proposed activities to be carried out under the Community Development Program, and proposed strategies and actions for affirmatively furthering fair housing, and
 - ii. In the event of a Substantial Amendment to the Annual Action Plan, one public meeting shall be conducted to provide citizens with reasonable notice of, and opportunity to comment and provide input on proposed changes in use of funds.
 - iii. In the event of an application for Section 108 funds, at least one public meeting shall be conducted to provide citizens with reasonable notice of and opportunity to comment and provide input on the proposed application and use of funds. Said meeting may, at the County's option, be carried out in conjunction with a public hearing for development of the Consolidated Plan/Annual Action Plan, or in conjunction with an amendment to these Plans.
 - iv. One public hearing shall be conducted to review the County's Consolidated Annual Performance and Evaluation Report (CAPER) in carrying out activities funded through the CDBG, HOME, ESG, the Revolving Loan Fund and Section 108.
- b. Public hearings will be located at the Luzerne County Courthouse, 200 N River Street, Wilkes-Barre, Pennsylvania. The County may, at its option, schedule additional meetings at various accessible locations throughout the County to encourage citizen participation. All Public Hearings shall be conducted at times convenient to the general public.
- c. Should it become apparent that non-English speaking residents could be expected to participate in public hearings, adequate efforts will be made by the County, utilizing necessary services, to provide information to these individuals in an understandable

form. Persons requiring specific accommodations for translation services should contact the Luzerne County Community Development Program contact person listed at the end of this document within five business days prior to the public hearing.

- d. All public hearings will be held in accessible locations, however, should it become apparent that residents with disabilities (such as, but not limited to visual or hearing impairments) could be expected to participate in public hearings, adequate efforts will be made by the County, utilizing necessary and available services, to provide accommodations for these residents (such as, but not limited to providing oral, Braille, electronic, or large print copies). Persons requiring specific accommodations for a disability should contact the Luzerne County Community Development Program contact person listed in Section 4 of this document within five business days prior to the public hearing.
- e. Notice of public hearings will be published in newspapers of general circulation in accordance with Section 3 (Publication of Notices) of this Plan, and on the County's website.
- f. During the COVID-19 pandemic and other related crises, the County will not hold in-person public hearings. The County 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, to receive timely responses from local officials to all questions and issues, and public access to ask questions and receive responses.

2. ACCESS TO INFORMATION AND RECORDS

- a. The County will provide citizens with reasonable and timely access to information and records relating to the County's proposed and actual use of funds under these programs.
 - i. Upon written request, individuals and groups will be provided with a copy of the Consolidated Plan, the Annual Action Plan, the Consolidated Annual Performance Report (CAPER), AFH, Section 108 applications, and other documents related to program activities.
 - (1) Notice of availability of said documents shall be published in newspapers of general circulation within the County, along with information as to how they may obtain free copies of the documents.
 - (2) Said documents will also be available for inspection at the Luzerne County Office of Community Development, 54 W. Union Street, Wilkes-Barre, Luzerne County, PA 18701.
 - (3) Where a significant number of non-English speaking residents can be reasonably expected to benefit from translation services for these consolidated planning documents, the County will provide translation services. Translation services may be in the form of oral or written accommodations.

3. PUBLICATION OF NOTICES

All notices will provide a summary of the proposed Consolidated Plan, Annual Action Plan, CAPER, or AFH and describe the contents and purpose of the particular plan. The notice will also be posted on the County's home page (www.luzernecounty.org) and on bulletin boards at the locations below. The public notice will state that free copies of the particular Plan will be available for review on the County's website and at the following locations for thirty days:

Luzerne County Housing Authority

Osterhout Free Library

250 First Avenue
Kingston, PA 18704

71 South Franklin Street
Wilkes-Barre, PA 18701

Hoyt Library
284 Wyoming Avenue
Kingston, PA 108704

Hazleton Area Public Library
55 North Church Street
Hazleton, PA 18201

The County will consider any comments or views of citizens received in writing, or orally, at any of the public hearings, or during the 30-day public review, and will address those comments in the preparation of the final Consolidated Plan, Annual Action Plan, CAPER, or AFH. The County will include any written or oral comments in the final Consolidated Plan, Annual Action Plan, or AFH submitted to HUD. The County will also make copies of the draft plan, and Final Plan available to the general public, at no cost on the County's website (www.luzernecounty.org)

. Hard copies will also be available upon request.

During the COVID-19 pandemic and other related crises, the County will implement expedited procedures to draft, propose, or amend Consolidated Plans/Action 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 Amended Consolidated Plan/Action Plan and the amended Citizen Participation Plan.

- a. Notices of public meetings shall be published in newspapers of general circulation within the County not less than 7 days prior to the public hearing and posted on the County's web page. The advertisement shall state the time, date, location and purpose of the hearing. The notice shall also include other pertinent information relative to the hearing, such as accessibility for disabled persons, etc.
- b. The County may, at its option, utilize other forms of promoting citizen participation in the community development process, including but not limited to public service announcements, mailings and posting to the County's web page.
- c. A notice of availability of the Consolidated Plan/Annual Action Plan will be published in a newspaper of general circulation within the County, in accordance with Section 5 (Consolidated Plan/Annual Action Plan) of this Plan.
- d. Notice of the availability of the CAPER will be published in a newspaper of general circulation within the County, in accordance with Section 6 (Consolidated Annual Performance Report) of this Plan.
- e. Notice of a substantial amendment to the County's Annual Action Plan will be published in a newspaper of general circulation within the County and the County's website, along with notice of availability of the Amendment, in accordance with Section 7 (Amendment to Annual Action Plan) of this Plan.
- f. A summary of proposed Section 108 application/activities shall be published in a newspaper of general circulation within the County, along with notice of availability of the Application, in accordance with Section 8 (Section 108) of this Plan.

4. COMMENTS/COMPLAINTS

- a. The County shall respond with a timely written answer to written comments, requests, proposals, complaints and grievances, within 15 working days from receipt, when practicable. Whenever practical, responses will be made prior to formal local approval of any application under question. Said citizen comments will be taken into consideration throughout the planning/performance/evaluation and carry out process of the Community Development Program. The County will include any written or oral

comments in the final Consolidated Plan, Annual Action Plan, or AFH submitted to HUD.

Citizens with complaints (or unable to submit comments orally at a Public Hearing) related to the Consolidated Plan, Annual Action Plan, amendments, CAPER, or the AFH must submit the complaint in writing to:

Executive Director
Luzerne Co. Community Development
54 West Union Street
Wilkes-Barre, PA 18701
(570) 824-7214

If the complaint is given orally, the person initiating the complaint must schedule a meeting with the Director at the above-mentioned address and a formal complaint letter will be transcribed. The person must sign the letter and submit an address for response.

5. CONSOLIDATED PLAN/ANNUAL ACTION PLAN/AFH:
 - a. The County will hold at least one public hearing during the Consolidated/Annual Action Planning or AFH process to:
 - i. obtain the views of citizens on the County's community development and housing needs;
 - ii. provide information to citizens on the amount of available funding and the range of community development and housing activities that may be undertaken;
 - iii. obtain views and comments on activities for inclusion in the development of the Annual Action Plan and respond to citizens questions as they relate to the Consolidated Plan.
 - b. The County shall publish a notice of availability of Consolidated Plan, so as to afford affected citizens an opportunity to comment.
 - i. Said notice shall include the anticipated submission date of the Plan to the Department of Housing and Urban Development.
 - ii. Said notice will provide clarification as to where and how the Plan may be obtained and the procedure for submission of citizens' comments or questions.
 - iii. Said Notice shall be published not less than 30 days prior to submission of the Plan to the Department of Housing and Urban Development.
 - c. The County shall consider citizen comments on the Consolidated Plan prior to submission of the formal document to the Department of Housing and Urban Development. The County will include any written or oral comments in the final Consolidated Plan, Annual Action Plan, or AFH submitted to HUD.
 - d. The County's consolidated planning documents shall be approved by the County Manager prior to submission to HUD.
 - e. The County's consolidated plan shall be submitted to HUD no later than 45 days prior to the start of the Program Year, unless written approval is obtained from the Department of Housing and Urban Development to alter this date.
 - i. Luzerne County's Community Development Program year begins on January 1 and concludes on December 31.
6. CONSOLIDATED ANNUAL PERFORMANCE AND EVALUATION REPORT (CAPER):
 - a. A public hearing shall be held to review the County's performance in carrying out

activities under the Community Development Program. Said public hearing shall cover the County's performance for activities funded through the Community Development Block Grant Program (CDBG), HOME Investments Partnerships Program (HOME), Emergency Solutions Grants Program (ESG), the Revolving Loan Fund, and Section 108.

- b. Notice of the completion of the CAPER shall be published in a newspaper of general circulation, in accordance with Section 3 (Publication of Notices) of this Plan. Said notice shall:
 - i. be published not less than 15 days prior to submission of the Report to HUD;
 - ii. inform the public of the date, time and purpose of the public meeting;
 - iii. inform the public when the Report will be available for review and where and how it may be obtained;
 - iv. include the date of submission of the Report to the Department of Housing and Urban Development; and
 - v. clarify the process for submitting comments regarding the plan.
- c. Upon completion of HUD's review of the CAPER, written comments regarding the content will be provided to the County. The County will respond in writing to any questions or concerns. HUD will review the County's response and then issue its final written Assessment of the County's Performance.
- d. A Notice of Availability of the CAPER will be posted on the County's web page in accordance with Section 3 (Publication of Notices) of this Plan.

7. AMENDMENTS TO ANNUAL ACTION PLAN

The County must amend any Annual Action Plan whenever it decides:

- 1) not to carry out an activity described in any Action Plan;
- 2) to carry out an activity not previously described; or,
- 3) to change the use of CDBG funds from one eligible activity to another; or
- 4) to substantially change the purpose, scope, location, beneficiaries, or funding of an activity.

Substantial Amendments

With respect to the fourth reason, the following criteria shall be employed by the County to determine when it is necessary for the County to substantially amend any Action Plan adopted by the Community Development Director for the County's Consolidated Plan.

- a. "Substantial change in purpose" shall mean that the County determines that the original purpose of a proposed activity shall either not be accomplished or shall be accomplished to only a minimal degree or shall mean that a new purpose shall be the primary purpose of such activity. A change in purpose would be a reclassification from one clearly identified project to another.
- b. "Substantial change in scope" shall mean that the County determines that the original scope of a proposed activity shall either not be accomplished or shall be accomplished to only a minimal degree or shall mean that a new scope shall be the primary scope of such activity, such as a change from a public facility project to a public services project.
- c. "Substantial change in location" shall mean that the County determines that the location in which a proposed activity is to be carried out shall be changed so

that the activity shall not be carried out at all or to any significant degree in the originally proposed location or shall mean that a new location shall be the primary location for undertaking such activity.

- d. "Substantial change in beneficiaries" shall mean that the County determines that the group or groups of individuals that an activity was intended to benefit or was believed would benefit, shall either not benefit or shall only benefit to a minimal degree or shall mean that another group of individuals shall be the primary beneficiaries of such activity.
- e. "Substantial change in funding" shall mean when a line item/project cost changes more than 50% of the original proposed funding amount unless it is due to a cost overrun or underrun.

All other changes to the Consolidated Plan documents that do not meet the Substantial Amendment criteria defined above will be reviewed and approved by County staff and will not be subject to public comments. These changes will be fully documented and must be signed by the official representative of the jurisdiction, or his/her designee, authorized to take such action.

The County shall hold at least one Public Hearing on any proposed substantial amendment. Notice to the public of proposed program amendments shall be given to the public through the publication of a public notice as specified in Section 3 above. The County shall also notify the municipality or agency responsible for the activity which may be directly affected by a proposed program amendment. Notice to persons with disabilities shall be provided in a usable form, upon request.

At least 30 days shall be allowed for citizen comments on any proposed Consolidated Plan or Annual Action Plan substantial amendment. The 30-day comment period shall begin on the date public announcement is made of the proposed substantial amendment. No amendment shall be implemented by the County until after the 30-day citizen comment period.

During the COVID-19 pandemic and other related crises, the County will implement an expedited comment period of no less than 5 days.

The County shall prepare a summary of any citizen comments not adopted in response to any proposed Consolidated Plan or Annual Action Plan amendment, and the reasons that those views were not adopted. Such summary shall be attached to the amended Consolidated Plan or Annual Action Plan.

8. SECTION 108

- a. The County will hold at least one public hearing during the Section 108 Application Process to:
 - i. obtain the views of citizens on the County's community development and housing needs;
 - ii. provide information to citizens on the amount of available funding and the process for obtaining/receiving/utilizing Section 108 funding, along with the range of community development and housing activities that may be undertaken;
 - iii. obtain views and comments on activities for inclusion in the 108 application and respond to citizens questions.
- b. The County shall publish a summary of the proposed Section 108

Application/Activities, so as to afford affected citizens an opportunity to comment.

- i. Said notice shall include the scheduled date for approval of the Application by the Luzerne County Manager, and the anticipated submission date to the Department of Housing and Urban Development.
 - ii. Said notice will provide clarification as to where and how the Plan may be obtained and the procedure for submission of citizens' comments or questions.
 - iii. Said Notice shall be published not less than 30 days prior to adoption by the Luzerne County Council.
- c. The County shall consider citizen comments on the Application/activities prior to submission of the formal document to the Department of Housing and Urban Development;

9. TECHNICAL ASSISTANCE

a. The County shall provide technical assistance to groups and representatives of persons of low, very low and moderate income that request such assistance in commenting on the AFH and in developing proposals for funding assistance under any of the programs covered by the Consolidated Plan. Technical assistance for proposal development cannot occur during an active RFP process. The level of technical assistance shall be at the discretion of Luzerne Co. Community Development. To request technical assistance groups or individuals are encouraged to contact:

Executive Director
Luzerne Co. Community Development
54 West Union Street
Wilkes-Barre, PA 18701
(570) 824-7214

10. ANTI-DISPLACEMENT

The County has adopted an Anti-displacement Plan to minimize displacement of persons and to assist persons displaced, specifying the types and level of assistance to be made available. Copies are on file at the County's Community Development Office and will be provided upon request.

Should displacement become necessary as a result of any activity funded in whole or in part by any program covered under the Consolidated Plan, the County shall provide benefits in accordance with the requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended (the "URA").

The County is sensitive to displacement and the effects resulting therefrom. Therefore, prior to commencement of a project funded through the County that either potentially, or most certainly, displaces a person or persons, top County officials will consider the overall public benefit(s) of the project and discuss potential alternatives to determine whether the project should move forward. Authorization will be given only when there is significant public benefit that outweighs the displacement. In the event that displacement will occur, the County will provide the necessary assistance to affected persons to minimize the trauma of displacement. Assistance would include: moving expenses, rental assistance, assistance with identifying other housing, etc. The actual type and level of assistance will be made on a case-by-case basis but will be sufficient to ease the transition for the displaced persons. All assistance shall be in compliance with applicable sections of the URA. The types and levels of relocation

assistance will be made available through the Luzerne County Office of Community Development.