

City of Omaha Citizen Participation Plan

For Community Planning and Development Programs and the Assessment of Fair Housing

February 2020 Draft

1 APPLICABILITY AND ADOPTION OF THE CITIZEN PARTICIPATION PLAN

§91.505(a) Citizen participation plan; local governments

As an Entitlement Community receiving Community Development Block Grant (CDBG), Emergency Shelter Grants (ESG), and Home Investment partnerships (HOME) funds from the United States Department of Housing and Urban Development (HUD), the City of Omaha (City) carries out a Citizen Participation Plan as a part of its Assessment of Fair Housing (AFH) and Consolidated Plan processes. The Consolidated Plan process includes the development of the Five-Year Strategy and Annual Action plans.

1.1 ENCOURAGEMENT OF CITIZEN PARTICIPATION

The **Citizen Participation Plan (CPP)** is designed to encourage citizens, especially low- and moderate-income citizens, to participate in the development and amendment of the **Consolidated Plan**, the **Consolidated Annual Performance and Evaluation Report (CAPER)**, and the development and revision of the **AFH**. It also encourages citizens to participate in the development and amendment of the **CPP**.

The City encourages participation by residents, neighborhood groups, and local and regional institutions, especially those who serve low- and moderate-income citizens and citizens with disabilities.

The City also encourages the participation of businesses, developers, nonprofit organizations, philanthropic organizations, and community and faith-based organizations.

The City works with the Omaha Housing Authority (OHA) and Douglas County Housing Authority (DCHA) to provide information to residents of public housing and assisted housing developments, and uses data collected by the Housing Authorities, such as tenant surveys, in the Consolidated Plan and AFH.

City staff typically engage residents, neighborhood groups and institutions in the development of the **Consolidated Plan**, the **CAPER**, and the **AFH** through a variety of outreach and education strategies, including:

- holding public hearings and stakeholder meetings
- speaking to interested organizations at their own meetings
- responding to phoned and written inquiries
- personally visiting with persons in their homes
- purchasing advertising space in the daily and minority newspapers
- issuing press releases and responding to media inquiries
- using Facebook, Twitter and other social media tools
- using the City's website, specifically the website of the Housing and Community Development Division of the Planning Department located at <https://planninghcd.cityofomaha.org/>.

The City also engages organizations dealing with broadband internet service, agencies that manage flood prone areas, public land and water resources, and emergency management operations during the preparation of the **Consolidated Plan**.

1.2 CITIZEN COMMENT ON THE CITIZEN PARTICIPATION PLAN

In order to allow the public to comment on the **CPP** or changes to the **CPP**, the City holds public hearings as described in **5 Public Hearings**, presented below.

1.3 LANGUAGE NEEDS

According to the U.S. Census Bureau, a majority of Omaha’s households, just over 86%, speak “English Only” at home. Approximately 8% of households speak Spanish, and it is the second most frequently spoken language in Omaha. Just under 6% of households speak “Other Languages.” Certain areas within Omaha have high concentrations of households speaking Spanish or Other Languages. In the southeast quadrant of Omaha, nearly 21% of the households speak Spanish while approximately 7.5% of households in the northeast quadrant speak Other Languages. In the southwest and northwest quadrants, the percentage of households speaking English Only is over 90%, indicating there is less language diversity in those quadrants compared to the eastern quadrants.

Language	%
English Only	86.23
Spanish	8.14
Other Language	5.63
Source: 2016 ACS Supplemental Estimates	

The City developed and adopted a Limited English Proficiency (LEP) Plan in 2015. The LEP Plan provides guidance on how the City will accommodate non-English speaking residents and residents with limited English proficiency. The Planning Department will generally follow the requirements of the LEP, as applicable. The LEP Plan is located at: <https://humanrights.cityofomaha.org/images/PDF/City-of-Omaha-LEP-Plan-without-comments.pdf>.

Under the LEP, the City must make significant documents available in both English and Spanish. The **Consolidated Plan**, **AFH**, **CPP**, and **CAPER** are significant documents for the purposes of Language Need.

Additionally, the City will accommodate the needs of non-English speaking citizens for participation in development/review of the **Consolidated Plan**, **CAPERS**, **CPP**, and **AFH** by publishing notices in minority and non-English newspapers (as available/appropriate).

2 AFH AND CONSOLIDATED PLAN DEVELOPMENT

§91.505(b) Development of the AFH and consolidated plan

Draft copies of the **AFH** and the **Consolidated Plan** will be made available to residents, public agencies, and other interested parties. Draft documents are available for review at the City Planning Department office and a reasonable number of free copies are available upon request. Additionally these documents are accessible for review on the City’s website. Upon request, the City will provide this document to persons with disabilities in a format suitable for their use. These documents will be made available to the public two weeks prior to a public hearing.

The **Consolidated Plan** includes the amount of assistance the jurisdiction expects to receive from HUD and the range of activities that may be undertaken using these funds. The City will also provide information on the estimated amount of funding that will benefit persons of low- and moderate-incomes. This information will be presented to the public at a public hearing held for the development of the **AFH** or the **Consolidated Plan**, and it will also be available for review two weeks prior to the public hearing.

The Planning Department assures reasonable and timely access to meetings, information and records related to the **AFH** and **Consolidated Plan**. The City will publish official notice of public hearings at least two weeks prior to the meeting, and use other advertisement methods to provide timely information.

The City will hold at least one public hearing during the development of the **Consolidated Plan** and one public hearing during the development of the **AFH**. Please see **5 Public Hearings**, below for more information. Typically, the public hearing will be held at the beginning of the public comment period.

The City considers all comments or views of residents received in writing, or orally at the public hearings, in preparing the final **Consolidated Plan** or the **AFH**. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons for not accepting them, is attached to the final **AFH** or **Consolidated Plan**, as appropriate.

To afford citizens a reasonable opportunity to examine the contents of the **AFH** or **Consolidated Plan**, the City provides citizens a period of 30 days to make comment prior to submitting the documents to the City Council and then to HUD.

2.1 DISPLACEMENT

The City will consistently strive to minimize the displacement of residences and businesses within the jurisdiction. The City of Omaha shall take every precaution and evaluate alternative planning and design options prior to a displacement. If a situation occurs which requires a displacement, the City of Omaha will follow the Uniform Relocation Assistance and Real Property Acquisition Act of 1970.

The Relocation Assistance program consists of two basic parts: Advisory Service and Financial Assistance. Every person being displaced is eligible to receive advisory service in relocating to a replacement dwelling or non-residential location. When certain eligibility requirements are met, displaced persons are also entitled to financial assistance in relocating their personal property and for the increased costs of buying or renting a replacement dwelling.

These services and benefits are in addition to compensation received by the property owner for the acquisition of real property or real property rights. These services and benefits are also for tenants of real estate that are displaced.

3 AFH REVISIONS CONSOLIDATED PLAN AMENDMENTS

§91.505(c) Consolidated plan amendments and AFH revisions

Occasionally, the City needs to revise the **AFH** or amend the **Consolidated Plan**.

3.1 CONSOLIDATED PLAN AMENDMENTS

HUD requires the City to amend its **Consolidated Plan** when:

- it makes a change in its allocation priorities or a change in its method of fund distribution,
- it uses program funds to carry out an activity not previously described in the action plan, or
- it changes the proposed scope, location or beneficiaries of an activity.

Most amendments are not subject to the citizen participation process because they are more technical in nature, such as correcting text in an Annual Action Plan, or moving money away from an underperforming program to a program where funds are needed. The City refers to these types of amendments as “technical amendments.”

HUD requires the City to define a *substantial amendment* to the **Consolidated Plan**. A *substantial amendment* is subject to the citizen participation process. The City defines a *substantial amendment* as any action involving more than \$400,000. Here are examples of how this may apply.

1. The City cancels a project, which was to receive \$500,000 of CDBG, and reallocates the funds to a new project funded at the same amount.
2. The City cancels a project, which was to receive \$500,000 of CDBG, and reallocates the funds to several small projects that each receive less than \$400,000.
3. The City receives unexpected Program Income in excess of \$400,000 and must then allocate these funds to programs.

The Assistant Planning Director of Housing and Community Development approves “*technical amendments*” to the Consolidated Plan (those amendments not qualifying as substantial amendments). However, *substantial amendments* to the Consolidated Plan are subject to a public notice and comment period (see **2 AFH and Consolidated Plan Development**).

The City maintains a record of amendments and *substantial amendments* to the **Consolidated Plan** on the Housing and Community Development website.

3.2 AFH REVISIONS

The City revises its **AFH** whenever a material change in the circumstances that affects the information on which the **AFH** is based, to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the **AFH** no longer reflect actual circumstances. Examples of potential material changes include natural disasters, significant demographic changes, new significant contributing factors, civil rights findings, and determinations, settlements, or court orders.

Revisions to the **AFH** are subject to the same citizen participation process followed for the development of the Consolidated Plan (see **2 AFH and Consolidated Plan Development**).

4 PERFORMANCE REPORTS

§91.505(d) Performance reports

The City notifies citizens of the availability of the draft **CAPER** for review through official notices in local newspapers, the City’s website, and social media outlets.

To afford citizens a reasonable opportunity to examine the contents of these documents, the City provides citizens a period of not less than 15 days to make comment prior to submitting the documents to HUD.

Comments received by the public will be considered for the final preparation of the **CAPER**, and a summary of all comments will be included in the final document.

5 PUBLIC HEARINGS

§91.505(e) Public hearings

At a minimum, the City holds two public hearings per year to obtain resident's views and to respond to proposals and questions. Additional public hearings may be required due to *substantial amendments* to the **Consolidated Plan** or revisions to the **AFH**.

1. **Program Review.** The first public hearing of a calendar year is typically held in late winter or early spring. This public hearing provides a review of the past year's performance. The focus of this meeting is the **CAPER**.
2. **Community Development.** The second public hearing of a calendar year is typically held in the fall, prior to November 15, before the draft **Consolidated Plan** is published for comment. This public hearing addresses community development needs, the development of proposed activities to address those needs, and proposed strategies and actions for affirmatively furthering fair housing.

Additional public hearings are held when there are proposed substantial amendments to the **Consolidated Plan** and when there are proposed revisions to the **AFH** and the **CPP**.

The City notifies citizens of public hearings through official notices in local newspapers, the City's website, and social media outlets at least two weeks before a public hearing. The notice will provide sufficient information to permit informed comment.

Public hearings are held at locations that are accessible to persons with disabilities, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as application. All venues selected for a public hearing will be easily reached by private and public transportation. A sign language interpreter for persons with hearing disabilities, and other alternative formats, are available on request if the City is provided notice at least 48 hours prior to the meeting.

Spanish language interpreters are available at all public hearings. Translation for other languages will be accommodated if the City is notified of the need 48 hours in advance of the public hearing.

The City considers all comments or views of citizens received in writing, or orally at the public hearings, in preparing the final **Consolidated Plan** and the **AFH**. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons therefor, is attached to the final **AFH** and revisions, Consolidated Plan, amendment of the plan, or performance report.

6 MEETINGS

§91.505(f) Meetings

Meetings are held at locations that are accessible to persons with disabilities, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as application. All venues selected for a public hearing will be easily reached by private and public transportation. A sign language interpreter for persons with hearing disabilities, and other alternative formats, are available on request if the City is provided notice at least 48 hours prior to the meeting.

7 AVAILABILITY TO THE PUBLIC

§91.505(g) Availability to the public

The **AFH, Consolidated Plan, CPP, and CAPER**, and revisions or *substantial amendments* to these documents, are available for review at the City Planning Department office. Additionally these documents are accessible for review on the City's website. The City distributes copies of the **Consolidated Plan, CPP, CAPER**, and the **AFH** to all City library locations. Upon request, the City will provide these materials to persons with disabilities in a format suitable for their use.

The **AFH** and the **Consolidated Plan** executive summary are also available in Spanish.

8 ACCESS TO RECORDS

§91.505(h) Access to records

The City assures reasonable and timely access to information and records related to the **AFH, Consolidated Plan, CPP, and CAPER**, including information on the use of assistance (e.g., funds and services) during the preceding five years. Citizens wishing to access information that is not readily available through the City's website or at a public library may make a request to the City of Omaha Planning Department for assistance.

Public records are also available at the Omaha City Clerk's website: <https://cityclerk.cityofomaha.org/>. The Clerk's website also provides a web service for public records requests.

9 TECHNICAL ASSISTANCE

§91.505(i) Technical Assistance

The Planning Department makes an annual Request for Proposals (RFP) to solicit applications for the use of funding assistance covered by the **Consolidated Plan** (e.g., CDBG, HOME, ESG). Prior to issuing the RFP, the Planning Department conducts a workshop where technical assistance for the development of funding applications is provided to potential applicants.

Upon request, the Planning Department will provide technical assistance to citizens and organizations wishing to apply for, or who receive Federal funds, especially new recipients of Federal funds.

10 COMPLAINTS

§91.505(j) Complaints

In all instances, City of Omaha Planning Department staff respond in writing to written complaints and grievances as soon as practicable, usually within 15 working days. Additional time may be required for complaints provided in languages other than English.

Complaints should be directed to:

Planning Director
Omaha Planning Department
1819 Farnam Street, Suite 1111
Omaha, NE 68183

The Mayor's Action Office is another vehicle for filing a complaint. The Action Office provides a backup and follow-up opportunity for citizens who feel they have not received an adequate response to their inquiries. The Action Office may be reached at: 402-444-5555 or Hotline@cityofomaha.org.

City Council staff provide a similar service to citizens. Their telephone number is (402) 444-5520.

City Planning Department staff cooperate in a timely manner with both offices to resolve problems.

Citizens may also contact HUD directly if they wish to file a complaint. Complaints should be directed to:

Director, Community Planning and Development Division,
Department of Housing and Urban Development, Omaha Office, Region VII
Edward Zorinsky Federal Building, Suite 329
1616 Capitol Avenue
Omaha, NE 68102-4908

On occasions when problems cannot be resolved directly, the Planning Department will arrange for arbitration services (when appropriate) as an alternative to litigation.

SUMMARY OF PROCESSES

The following table presents steps and timeframes necessary to fulfill Citizen Participation requirements. The steps are arranged from first to last, from left to right.

All documents presented on the following table are available in English and Spanish language versions.

Table 1: Timing of Review and Comment Periods

Document	Notification of Public Hearing	Document Available for Review	Public Hearing	Comment Period	City Council
AFH & Revisions	2 weeks	2 weeks	Yes	30 days	Yes
CAPER	2 weeks	2 weeks	Yes	15 days	No
Consolidated Plan & Substantial Amendments	2 weeks	2 weeks	Yes	30 days	Yes
CPP	2 weeks	2 weeks	Yes	15 days	No

AFH – Assessment of Fair Housing

CAPER – Consolidated Annual Performance and Evaluation Report

CPP – Citizen Participation Plan