



**REALLOCATION of CDBG-CV FUNDS AMENDMENT-2  
TO THE COUNTY OF ORANGE –  
2021-2022 ACTION PLAN**

**November 8, 2022**



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(To be inserted prior to submission to HUD)

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## Executive Summary

### Background

On July 14, 2020 the Board approved CDBG-CV1 funding to be used by small cities, metro cities and the county for various activities to prevent, prepare for, and respond to the coronavirus (COVID-19). Not all of these funds were expended. On March 9, 2021 the Board approved CDBG-CV funding to be used for rental assistance, rehabilitation and shelter to prevent, prepare for, and respond to COVID-19. Not all of these funds were expended.

This Amendment to the FY 2021-22 Annual Action Plan will reallocate \$2,428,308 in CDBG-CV funding. Eighty percent of all CDBG-CV allocations must be spent by September 2023. Participating cities were given CDBG formula allocation of CDBG-CV-1 funding, and some cities did not spend their . An additional \$1.3 million was allocated to Emergency Rental Assistance, however, the U.S. Treasury provided a separate funding source specifically for Emergency Rental Assistance which left this amount unspent.

### Resources Available

### Proposed uses of the remaining CDBG-CV funding

Reallocating \$2,428,308 in Community Development Block Grant - Corona Virus funding for existing programs and small participating cities that previously were successful in spending their Community Development Block Grant - Corona Virus funding and to cities that implemented existing Housing Rehabilitation programs and permanent supportive and affordable housing programs; to the extent permanent supportive housing is not funded, allocating funding to cities that implemented Metropolitan City Community Development Block Grant Corona Virus programs, and regional homeless activities that support small and or metropolitan cities.

## AP-15

Program	Use of Funds	Allocation	Total
CDBG-CV	See proposed uses	\$2,428,308	\$2,428,308

Table 1 – Resources

# AP-20 Goals and Objectives

## Goals Summary Information

Table 2 – CDBG-CV Goals and Objectives

Goal Name	Time Period	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
<b>Goal 1 CDBG- CV</b>	FY 2022 – 2023	See proposed uses	Participating Cities, Unincorporated Areas of Orange County, and regional homeless activities	ADA Activities, Housing Rehabilitation, Permanent Supportive Housing, and Affordable Housing, Homeless Shelter(s), Regional Homeless Activities, Small Business relief to prevent, prepare for, and respond to Covid-19	CDBG-CV \$ 2,428,308	TBD

## AP-35 Projects and activities

The County of Orange will invest CDBG-CV funds for the project activities shown in the table below.

**Table 3 – CDBG-CV Projects and Activities**

<b>1</b>	<b>Project Name</b>	
	<b>Target Area</b>	County wide
	<b>Goals Supported</b>	ADA Activities, Housing Rehabilitation, Permanent Supportive Housing, and Affordable Housing, Homeless Shelter(s), Regional Homeless Activities, Small Business relief to prevent, prepare for, and respond to Covid-19
	<b>Needs Addressed</b>	TBD
	<b>Funding</b>	CDBG-CV: \$2,428,308
	<b>Description</b>	The Substantial Amendment 2 to the FY 2021-22 Annual Action Plan reallocating \$2,428,308 in Community Development Block Grant - Corona Virus funding for existing programs and small participating cities that previously were successful in spending their Community Development Block Grant - Corona Virus funding and to cities that implemented existing Housing Rehabilitation programs and permanent supportive and affordable housing programs; to the extent permanent supportive housing is not funded, allocating funding to cities that implemented Metropolitan City Community Development Block Grant Corona Virus programs, and regional homeless activities that support small and or metropolitan cities.
	<b>Target Date</b>	8/31/2023
	<b>Estimate the number and type of families that will benefit</b>	TBD
	<b>Location</b>	Countywide

## **APPENDIX A**

### **Citizen Participation**

Pursuant to HUD regulations, the County's Citizen Participation Plan, published a 30-day comment period and public hearing. Public comments and the County's Board of Supervisor's recommendations will be included in the Substantial Amendment to the FY 2021-2022 Annual Action Plan.

In addition, on September 14, 2022, the CDBG City Manager Subcommittee held a meeting to discuss the proposed activities to be undertaken with CDBG-CV funds for FY2021-22 and CDBG, ESG & HOME funds for FY 2023-24.

# URBAN COUNTY OF ORANGE

## Citizen Participation Plan

**FY 2020-2024**

**June 23, 2020**



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## CITIZEN PARTICIPATION PLAN Urban County of Orange

### **I. INTRODUCTION**

The following Citizen Participation Plan provides a framework and process by which the County's consolidated planning efforts comply with the citizen participation requirements published by the U.S. Department of Housing and Urban Development (HUD). This Citizen Participation Plan is prepared and implemented in accordance with the guidance provided in HUD Regulations 24CFR Part 91.105.

The requirements for citizen Participation do not restrict the responsibility or authority of the County of Orange from the development or execution of its Consolidated Plan. The County of Orange is entitled to receive annual grant funding from the Community Development Block Grant (CDBG), Home Investment Partnership (HOME), and the Emergency Solution Grant (ESG) programs. It is the policy of Orange County to ensure adequate citizen involvement, with particular emphasis on participation by low- and moderate-income persons, in the planning, implementation, and evaluation of its housing and community development programs. This plan covers the Urban County of Orange comprised of Participating cities with populations under 50,000 (participating cities), cities with a population over 50,000 that elect to participate in the urban county (metropolitan city) and the unincorporated areas of Orange County. The County of Orange is the lead agency in developing the Citizen Participation Plan.

### **II. The Citizen Participation Plan for the County of Orange addresses each of the following elements:**

#### **A. Participation**

It is the policy of the County to follow its Citizen Participation Plan and to encourage and facilitate a wide-range of participation (residents, service providers, government agencies, and others) in the development of all Community Planning and Development (CPD) required consolidated planning documents including the Five-Year Consolidated Plan, Annual Action Plans, Substantial Amendments, and the Consolidated Annual Performance and Evaluation Report (CAPER).

The primary purpose of the participation will be in needs identification, priority setting, funding allocations, and program recommendations related to the consolidated planning process. The County shall provide for and encourage citizen participation with particular emphasis on low- and moderate-income persons; persons residing in predominantly low -and moderate-income neighborhoods or slum and blighted areas; and persons residing in areas where the use of CDBG funds is being proposed.

The primary purpose of the CPD programs covered by this Citizen Participation Plan is to improve communities by providing decent housing, a suitable living

environment, and growing economic opportunities. The County encourages the participation of all its citizens, including minorities and non-English speaking persons, as well as persons with disabilities.

#### MEETING THE NEEDS OF NON-ENGLISH SPEAKERS [24 CFR 91.105 (e)(4)]

Throughout the unincorporated areas of Orange County and within the jurisdictions of the participating Cities, there are significant populations of monolingual Spanish/Vietnamese-speaking persons residing in many of the very low, low, and moderate-income communities. OC Housing & Community Development ensures that a bilingual staff member is present at all Citizen Participation meetings. Where appropriate, meetings are held in English or Vietnamese and Spanish. OC Housing & Community Development provides translators during Citizen Participation (CP) meetings and other public events attended by significant numbers of Spanish/Vietnamese speaking residents. The Needs Assessment forms and flyers announcing Citizen Participation Meetings are bilingual, as are other written materials explaining the program as required. OC Housing & Community Development also utilizes Spanish/Vietnamese newspapers to announce the schedule of CP meetings.

#### **B. Public Hearings**

The County will conduct two public hearings per year to obtain the views and comments of residents, service providers, government agencies, and other stakeholders regarding the County's CPD-funded programs. The hearings generally address housing, social, and community development needs; proposed activities; and the review of program performance.

The hearings will be conducted at a minimum of two different stages of the program year. The first hearing will be conducted in the fall, (usually September/October) to receive public comments and for the County Board of Supervisors to adopt the Funding Allocation Policy and Process (FAPP) to kick-off the Annual Action Plan process. At the second public hearing, the County Board of Supervisors will hear public comment and adopt the Consolidated Plan and/or the One Year Annual Action Plan and direct staff to forward the document to HUD for approval and funding (usually April/May).

This citizen participation plan provides community residents with reasonable notice and an opportunity to comment on the consolidated plan, annual action plan and on substantial amendments to these plans and on the AFH and revisions to the AFH. The citizen participation plan states how reasonable notice and an opportunity to comment will be given. The citizen participation plan will provide a period, of not less than 30 calendar days, to receive comments on these plans and substantial amendments to these plans before the plans or substantial amendments are implemented or submitted to HUD for review.

The notices will be published either as public notices or advertisements in newspapers of general circulation. At this time, the newspapers of general

circulation include: The *Orange County Register (English)*, a *(Vietnamese)* and a *(Spanish) newspaper*. The notices will provide details concerning the nature of the public hearing, applicable HUD regulations, date and time of the hearings, and other necessary information. The Citizen Participation Plan will be posted on the OC Housing Community Development website [www.occommunityservices.org/hcd](http://www.occommunityservices.org/hcd). Click on the Community Development link, and look for the CP Plan link.

The County will also follow the above public noticing process for other "non-public hearing" CPD related actions to be taken by the Board of Supervisors. These actions include Substantial Amendments to the Consolidated Plan or Annual Action Plans. The hearings will be held at times and locations convenient to potential and actual beneficiaries, with one week notice, accommodation for persons with disabilities and non-English speaking residents may be made.

The Cities that participate in the County's CPD program are required to conduct their own Citizen Participation activities for their residents, especially low and moderate-income residents. At a minimum, these cities will publicly notice and hold at least one public meeting to discuss proposed uses of city's Community Planning and Development grant fund applications. Cities are required to submit copies of public notices, agendas, and minutes of such meetings to the County as part of the annual CDBG application process.

### **C. Access to Meetings**

It is the policy of the County to plan and conduct public meetings, also known as Citizen Participation (CP) meetings, related to the Consolidated Plan and Annual Action Plans in unincorporated communities and Participating Cities. Prior to the Public Meetings in September/October, as described in Section B above Countywide notices will be published. The notice will include the purpose, date, time, and location of the meetings:

These meetings shall be held at times and locations convenient to potential and actual program beneficiaries. In most cases, these CP meetings are conducted as part of a regularly scheduled meeting of another community-based entity. It has been the County's experience that the use of an existing community-based forum for the Citizen Participation Meetings ensures acceptable turn-out of residents, service providers, government officials, and other stakeholders. Citizens are invited to attend the meetings to learn about the programs and services available to them, express their views on their community's housing and community development needs, prioritize community needs, and comment on prior program performance. Attendees are also given the opportunity to complete the Needs Assessment Surveys during the meetings or return them later. Prior to the Public Meetings, County-wide notices are published in three different newspapers of general circulation – one in English, one in Spanish and one in Vietnamese, each one announcing the purpose, date, time, and location of the meetings. All meetings will be held in locations accessible to persons with disabilities with additional accommodations available upon request. Language translation services shall be made available for non-English speaking residents.

## **D. Public Comments**

It is the policy of the County to provide residents, service providers, government agencies, and other stakeholders a sufficient time period as required by law, to review and comment on proposed Consolidated Plan, Annual Action Plans, Analysis of Impediments to Fair Housing and Substantial Amendments. All public notices advise interested persons of the process to submit comments. All CPD documents include a summary of all comments received during the public comment period.

## **E. Strategic Plan Development**

Public meetings and hearings for development of the Consolidated Plan shall be held with representatives of participating cities, agencies and organizations, as well as interested community residents. During the preparation of the Annual Action Plan, meetings are held to consider the Urban County Program's regional strategy for the use of federal funds. These meetings shall confirm the development planning process and will be held to obtain citizen views and proposals on needs and priorities for a consistent Housing and Community Development strategy.

OC Housing & Community Development will provide the Annual Action Plan (AAP) for Public review and comment. The AAP contains:

- a. The estimated amount of funds available to the Urban County Program for community development and housing activities and basic eligible program categories;
- b. The eligible program activities that may be undertaken with these funds;
- c. The unincorporated areas and participating cities proposed for utilizing the available funding; and
- d. The proposed allocation of federal funds to participating non-profit organizations, cities, and unincorporated areas, and proposed funding allocations for local funding programs.

## **F. Substantial Amendments**

From time-to-time, it may be necessary for the County to process a "substantial amendment" to the Five Year Consolidated Plan or the One Year Annual Action Plans to allow for new CDBG, ESG, HOME, or local-funded activities, modification of existing activities; or other CPD program administrative actions.

Any proposed amendment that is considered a "substantial amendment" is subject to the Citizen Participation process, requires formal action by the Board of Supervisors, and approval by HUD. A thirty (30) day public notice is published to provide the opportunity for the public to review and comment on the proposed substantial amendments. The County will consider all comments or views received from the public concerning proposed substantial amendments in accordance with 24 CFR 91.105 (c)(3). This 30 day public notice requirement is only for federal funding and does not apply to local or non-federal funding. A summary of these comments and views, including comments or views not accepted (and the

reason why) shall be attached to the substantial amendment.

The County of Orange is required by HUD [24 CFR 91.505 (b)] to identify the criteria to be used in determining if a proposed action will be considered a *Substantial Amendment*. The following criteria will be used by the County – if any one criterion applies, a substantial amendment will be required:

1. A new activity is not previously listed and described in the Consolidated Plan/Annual Action Plan;
2. A proposal is made to amend the description of an existing activity in such a way that the newly described purpose, scope, or beneficiaries differ significantly from the original activity's purpose, scope, or beneficiaries; or
3. An increase in the amount of Federal Community Planning Development and/or local funds\* is allocated to an existing activity when/if the following apply:
  - a. An increase in funding for a public service activity is in an amount greater than a 50% increase over the current funded amount.
  - b. An increase in the funding for public facility improvements/housing rehabilitation is in an amount greater than a 50% increase over the current funded amount.

\*local funds do not require a public 30-day notification as required for substantial amendment to Federal funding.

In an effort to efficiently utilize CDBG funds within the time frames required by HUD, the County will consider the reprogramming of unspent CDBG balances from completed and cancelled CDBG-funded activities to other eligible activities as a "Non-Substantial Amendment". In the event that any of these "administrative" reprogramming actions fall under the "substantial amendment" criteria, the proposed actions are subject to the Citizen Participation process, requires formal action by the Board of Supervisors, and subsequent approval by HUD.

The County will maintain and provide for public review a Reprogramming Action File that provides details for every reprogramming action (Substantial and Non-Substantial) taking place during the program year.

#### Amendment to Citizen Participation Plan

During the County's administration of the CPD programs, it may become necessary to amend the Citizen Participation Plan. Any proposed amendment to the Citizen Participation Plan requires a thirty-day public notice, formal action by the Board of Supervisors, and approval by HUD.

#### **G. Access to Information**

The County shall provide opportunities for residents, public agencies, and other interested parties, including those most affected, with reasonable and timely

access to information and records relating to the County's consolidated plan, as well as the proposed, actual and past use of funds covered by this Citizen Participation Plan.

Standard documents will be available for public review on-line at <http://www.occommunityservices.org/hcd> and look for the CP Plan link or on the County Libraries site at [www.ocpl.org](http://www.ocpl.org).

These materials will also be available in a form accessible to persons with disabilities, upon request. Comments, questions, or suggested amendments should be directed to our Community Development Manager at [Craig.Fee@occr.ocgov.com](mailto:Craig.Fee@occr.ocgov.com).

Standard program documents that shall be made accessible for public review and comment throughout the preparation process include: the proposed and final Consolidated Plan, Annual Action Plan, Consolidated Annual Performance Report (CAPER), Substantial Amendments, and this Citizen Participation Plan.

It is the policy of the County of Orange to maintain and provide access to all applicable and appropriate records pertaining to the administration of the CDBG, ESG, and HOME programs. Records retention is a component of the County's CPD Program File Management System. Accordingly, the County will maintain and provide access to documentation and records for a period of five (5) years.

#### **H. Uniform Relocation Assistance (URA) and Real Property Acquisition Policies Act of 1970 and 49 CFR 24**

The County of Orange will replace all occupied and vacant "occupiable" lower-income housing demolished or converted to a use other than lower-income housing in connection with a project assisted with funds provided under the Residential Anti-Displacement and Relocation Assistance Policy HOME Program [24 CFR 42.325 and 91.353 and HOME Investment Partnership Act.

All replacement housing will be provided within three years after the commencement of the demolition or conversion. Before entering into a contract committing the County of Orange to provide funds for a project that will directly result in demolition or conversion, the County will make public by publication in a newspaper of general circulation and submit to HUD the following information in writing:

1. A description of the proposed assisted project;
2. The address, number of bedrooms, and location on a map of lower income housing that will be demolished or converted to use other than as lower income housing as a result of an assisted project;
3. A time schedule for the commencement and completion of the demolition or conversion;

4. To the extent known, the address, number of bedrooms, and location on a map of the replacement housing that has been or will be provided.
5. The source of funding and a time schedule for the provision of the replacement housing;
6. The basis for concluding that the replacement housing will remain lower income housing for at least 45 years from the date of initial occupancy;
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g., a 2-bedroom units with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the approved Consolidated Plan.

To the extent that the specific location of the replacement housing and other data in items 4 through 7 are not available at the time of general submission, the County of Orange will identify the general location of such housing on a map and complete the disclosure and submission requirements as soon as the specific data are available.

OC Housing & Community Development is responsible for tracking the replacement of lower income housing and ensuring that it is provided within the required period. The Owner/Developer will be responsible for providing relocation payments and other relocation assistance to any lower income person displaced by the demolition of any housing or the conversion of lower income housing to another use.

Consistent with the goals and objectives of activities assisted under the Act, the County of Orange will take the following steps where appropriate to minimize the direct and indirect displacement of persons from their homes:

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
3. Require a relocation Plan to house persons who must be relocated temporarily during rehabilitation.
4. Adopt Notice of Funding Availability (NOFA) policies for Affordable Rental Housing displacement resulting from public investment in acquisition rehabilitation to 20% or less per project.



## **I. Performance Reports**

Each fiscal year the County is required to prepare and submit a Consolidated Annual Performance and Evaluation Report (CAPER) to HUD for the previous program year. The information compiled in this document is necessary to assess the progress on funding received by the County, participating cities, non-profits, and other agencies or organizations. Data gathered in the compilation of the annual report will be used to supply information to HUD and the public on the accomplishments and services provided. The information will include the number of people served, ethnicity, income category, objective and outcome, and type of service received, as well as the current status on housing, public facilities and improvements, and other projects. The information is also used to determine future funding considerations.

The CAPER requires a 15-day public notice and is published in newspapers of general circulation in English, Spanish and Vietnamese so that Citizens will be provided reasonable notice to review and present comments on performance reports. A copy of the CAPER will be available at QC Community Services website: [www.occommunityservices.org/hcd](http://www.occommunityservices.org/hcd). Click on the Community Development link and look for the CAPER link.

Citizen's comments or views received in writing or orally at the public hearing will be considered. A summary of the comments or views shall be attached to the performance report. The CAPER shall be submitted to HUD within ninety (90) days after the end of the program year and prior to September 30 of each year. Final reporting documents will also be made available to any interested parties upon request.

## **J. Technical Assistance**

Technical assistance is made available as necessary to groups and organizations representing persons of low and moderate-income that request such assistance in developing proposals for funding assistance under the Consolidated Plan.

Prior to the release of the Request for Proposals, OC Housing & Community Development makes technical assistance available to current and potential activity sponsors through the Program Managers who are the main source of information on CPD programs and the application process. Program Managers provide assistance at community meetings. Although the Program Managers are the primary contact to the communities and service providers, all OC Housing & Community Development resources will be made available.

## **K. Complaints**

Residents or other interested parties may submit complaints to the County in relation to administration of the CPD-funded programs. Complaints may be made via telephone or in writing to: OC Housing & Community Development, 1501 E. St. Andrew Place, Santa Ana, CA 92705. The complaining party should state the nature of the complaint, what prior efforts have been made to resolve the problem and any other pertinent information that would help staff determine a solution. All

complaints will receive careful consideration and a timely, substantive response will be provided within ten (10) working days.

### III. MONITORING AND EVALUATION

In accordance with HUD CPD program regulations, the County continually monitors all CPD-funded sub-recipients and their activities. The County's CPD Program Monitoring Policies were developed and adopted in April 2006, through Administrative Program Notice 2006.01, to ensure compliance with 24 CFR 570.502 (CDBG), 24 CFR 576.61 (ESG), and 24 CFR Part 85.40 (a).

HUD regulation 24 CFR Part 85.40 (a) provides for the general program monitoring responsibilities of the County in the administration of the HUD-funded CPD programs.

Grantees are responsible for managing the day-to-day operations of grant and sub grant supported activities. Grantees must monitor grant and sub grant supported activities to assure compliance with applicable Federal requirements and that performance goals are being achieved. Grantee monitoring must cover each program, function, or activity.

### IV. DEFINITIONS

**Annual Action Plan (AAP):** This document updates the Consolidated Plan on an annual basis and allocates one year's funding (entitlement and program income) to specific projects and activities for the CDBG, ESG, and HOME programs.

**CAPER (Consolidated Annual Performance Evaluation Report):** This document reports on the progress made in carrying out the Consolidated Plan and One-Year Action Plan. The Agency prepares the report annually in accordance with 24 CFR Part 91.

**CDBG:** Community Development Block Grant, a HUD grant which provides for a variety of community development programs that benefit low and moderate-income persons.

**Community Planning and Development (CPD):** The office of Community Planning and Development (CPD), at HUD, oversees the CDBG, HOME and ESG programs and seeks to develop viable communities by promoting integrated approaches that provide decent housing, a suitable living environment, and expand economic means toward this end is the development of partnerships among all levels of government and the private sector, including for-profit and non-profit organizations.

**Consolidated Plan:** This document is submitted to HUD and serves as the planning documents of the jurisdiction and application for funding CDBG, ESG, and HOME. The document is developed in accordance with 24 CFR Part 91 and sets forth the priorities and strategies of the programs for a five-year period.

**ESG:** Emergency Solution Grant, a HUD grant that provides funds for homeless shelters and supportive services.

**HOME:** Home Investment Partnership Program, a HUD grant that provides funds to expand the supply of decent and affordable housing for low-income households.

**HUD:** The U.S. Department of Housing and Urban Development.

**Low and Moderate Income Persons:** An individual from a household with a total income does not exceed eight-percent (80%) of the median household income for the area Orange County, adjusted for family size.

## **APPENDIX B**

### **SF- 424s Certifications**

**(To be inserted prior to submission to HUD)**