

Urban County of San Luis Obispo

Community Participation Plan

For preparing and amending

The Consolidated Plan Action Plan or Assessment
of Fair Housing



Prepared by
San Luis Obispo County
Department of Social Services
Homeless Services Division

Amended: June 18, 2024

Community Participation Plan

Table of Contents

Introduction	3
Lead Agency & Participating Jurisdictions	3
Section I – Community Participation Plan	4
Purpose	4
Process	5
Amendments	5
Other Requirements.....	6
Section II Consolidated/Action Plans	10
Process	12
Amendments	13
Section III – Assessment of Fair Housing (AFH)	15
Process	16
Revisions of the AFH.....	17
Section IV – CAPER & Performance Reviews	18
Process	19
Amendments	19
CARES Act Amendments.....	19
Disaster/Emergency Events that May Require Expedited Major Amendments	20

Introduction

The County of San Luis Obispo (“the County”) and several partnering jurisdictions (listed below) constitute the Urban County of San Luis Obispo (“Urban County”), an entitlement jurisdiction that participates in the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grants (ESG) programs offered by the U.S. Department of Housing and Urban Development (HUD).

Jurisdictions Participating in the Urban County:

- City of Arroyo Grande
- City of Atascadero
- City of Paso Robles
- City of Pismo Beach
- City of Morro Bay
- City of San Luis Obispo
- County of San Luis Obispo

The Urban County of San Luis Obispo must provide a Citizen Participation Plan prior to the allocation and expenditure of HUD Program funds, to provide strategies for community participation in the planning processes. Because the definition of “citizen” does not include all community members, the County shall refer to the Citizen Participation Plan as a Community Participation Plan (CPP). The CPP provides policies and procedures for public participation as it relates to the use and administration of grant funds. The CPP also guides the development of the following plans.

Required plans and reports:

- Community Participation Plan (CPP)
- Consolidated Plan/Action Plan¹
- Assessment of Fair Housing (AFH)²
- Consolidated Annual Performance and Evaluation Report (CAPER)

The remaining sections of this document provide a detailed description of each plan and/or report, and their respective requirements.

Lead Agency and Participating Jurisdictions

The Urban County is a coalition of local agencies including the County of San Luis Obispo and the cities of Arroyo Grande, Atascadero, Morro Bay, Paso Robles, Pismo Beach, and San Luis Obispo. Each of these jurisdictions receives an allocation of grant funds utilizing an agreed upon formula. The respective city councils of participating jurisdictions determine how to distribute grant funding to local community development projects that provide a variety of public services, public facilities,

¹ The specific statutory requirement is implemented through 24 CFR § 91.105 which describes the standards for local government citizen participation plans applicable to the formula grant programs.

² AFH is an analysis undertaken pursuant to 24 CFR § 5.154 requiring consultation and community participation in the analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals.

housing related projects, and other qualified programs to benefit residents. Each participating jurisdiction within the Urban County is included in the development of the Consolidated Plan, the Action Plan, and the AFH.

As the lead agency of the Urban County, the County is responsible for administering the grants, preparing and submitting all plans, completing the annual CAPER, interacting with HUD, and complying with federal regulations and guidelines.

Section I – Community Participation Plan (CPP)

Purpose

The primary purpose of the CPP is to encourage residents to participate in the development of the Consolidated Plan, Action Plans, CAPERs, and the AFH, or any substantial amendments to the plans and performance reports³.

The purposes of the CPP are to:

1. Solicit and consider public input when the Urban County's Consolidated Plan, Action Plans, and AFH are being prepared, substantially amended, or reported;
2. Provide procedures and guidelines for gaining public input, particularly by persons of low and moderate income to whom federal funds are primarily targeted;
3. Obtain community ideas and opinions regarding the need for affordable housing, economic development, public services, public facilities and addressing homelessness;
4. Consult with other public and private agencies including providers of assisted housing, health services, and social and fair housing services during preparation of the Consolidated Plan.

As the lead agency, the County shall make a concerted effort to ensure all residents are provided the opportunity to participate in the planning process, including:

- a. Low, and moderate-income⁴ residents;
- b. Persons living in areas where CDBG, HOME, ESG, or any HUD emergency grant funds are proposed to be used;
- c. Residents of publicly assisted housing (operated by a public housing authority (PHA));
- d. Underserved persons and communities;

³ 24 CFR § 91.105 (a)(2)

⁴ According to HUD 24 CFR, Part 91.5, "low income" is defined as not exceeding 50 percent of the median family income for the area and "moderate income" is defined as not exceeding 80 percent of the median family income for the area;

- e. Non-English-speaking individuals;
- f. Persons with disabilities (per Section 504 of the Rehabilitation Act of 1973 <https://www.hud.gov/programdescription/sec504>).

The CPP explains how the County will encourage and facilitate the participation of community members in the Consolidated Plan, Action Plan, substantial amendments, and AFH processes.

Process

Residents will be provided the opportunity to comment on the Draft CPP during a 30-day public review and comment period prior to the appropriate Board of Supervisors Hearing. The hearing notice will be published in at least one newspaper of local circulation. Residents may access copies of the draft CPP on the Department of Social Services, Homeless Services Division website, slohomeless.com. Comments on the Draft CPP can be sent to the Action Plan Program Manager as outlined in the notification.

Upon request, alternative forms of the draft CPP will be available to any person with disabilities or translated for non-English speaking residents. Such requests must identify specific portions of the CPP to be translated or provided in alternative forms.

The draft CPP will be adopted upon a majority vote of the County of San Luis Obispo Board of Supervisors. The final CPP will include a summary of comments and views of residents received in writing during the public review period or orally at the public hearing.

Amendments

The CPP is not required to be updated regularly; however, the Urban County will review it along with the preparation of the Consolidated Plan or Action Plan to ensure its effectiveness and continued appropriateness. Should a change to the adopted CPP be proposed, the County will prepare and present the CPP amendment at a Board of Supervisors hearing. Residents will be notified of the amendment and hearing at least 30 days prior to the hearing date, in a newspaper of general circulation and on the Department of Social Services, Homeless Services Division website, slohomeless.com.

Note - If jurisdictions are added to or removed from the Urban County during the term of the effective Consolidated Plan, the CPP will automatically be amended to reflect the actual participating units of local government without separate notice or action by the Board of Supervisors.

Other Requirements

1. Consultation (24 CFR § 91.100 & 91.105(a)(2), 24 CFR § 5.158)

As the lead agency for the Urban County, the County will consult with other public and private agencies that provide assisted housing, health services, and social and fair housing services (including those focusing on services to children, elderly persons, persons with disabilities, persons with HIV/AIDS and their families, persons experiencing homelessness), broadband internet service providers, organizations engaged in narrowing the digital divide, agencies responsible for managing flood prone areas, public land or water resources, and emergency management agencies during preparation of the Consolidated Plan, Action Plan, substantial amendments, and the AFH, as needed.

These stakeholder groups and agencies will be contacted to ensure consideration of their public housing needs, planned programs and activities, and the participation of residents of public and assisted housing developments.⁵ The County shall provide information to the Public Housing Authority (PHA) about the Consolidated Plan, Action Plan, substantial amendments, and AFH so that the PHA can make this information available during the PHA annual public hearing.

Note – The PHA Plan is a comprehensive guide to public housing agency policies, programs, operations, and strategies for meeting local housing needs and goals. Please contact the local public housing authority for information on their plan.

The County will encourage the participation of other local and regional institutions, Continuums of Care, and 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 or a substantial amendment to the Consolidated Plan.

a. Homeless Strategy (24 CFR § 91.100(a)(2))

The San Luis Obispo Countywide Plan to Address Homelessness will be reviewed during the preparation of the Consolidated Plan's homeless strategy. Resources available to address the needs of persons experiencing homelessness (particularly persons experiencing chronic homelessness, families with children, veterans and their families, and unaccompanied youth) and persons at risk of homelessness will be considered by consulting with:

1. The Homeless Services Oversight Council (HSOC) as the governing body of the Continuum of Care;
2. Public and private agencies that address housing, health, social services, victim services, employment, or education needs of low-income individuals and

⁵ 24 CFR § 91.100(c)

- families; persons or families experiencing homelessness, including veterans; youth; and/or other persons with special needs;
3. 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 justice programs and institutions);
 4. Community members.

b. Emergency Solutions Grant (24 CFR § 91.100(d))

The County will consult with the Continuum of Care in determining how to allocate its ESG funds for eligible activities, developing performance standards 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 HMIS. Applications for ESG funds are accepted during the annual Action Plan Notice of Funding Availability (NOFA) for eligible activities. In consultation with the Continuum of Care and the HSOC, a Community Development Needs Assessment is conducted annually to identify community priorities to allocate the ESG program funds. Notification of the Community Development Needs Assessment, Community Development Needs Assessment hearing and the NOFA will be published in at least one newspaper of general circulation, and on the Department of Social Services, Homeless Services Division website, slohomeless.com. Residents may also obtain copies by using the contact information as outlined in the notification.

2. Public Access to Documents (24 CFR § 91.105(g)(h))

According to 24 CFR § 91.105(g), the current adopted Consolidated Plan, Action Plan, any substantial Consolidated Plan or Action Plan amendments, the HUD accepted AFH, revisions to the AFH, and the CAPER must be made available to the public, including versions of the materials accessible to persons with disabilities, upon request.

The County will provide access to information and records related to the Consolidated Plan, Action Plan, substantial amendments, CAPER, CPP, and AFH on the Department of Social Services, Homeless Services Division website, slohomeless.com.

3. Public Notices, Meetings, and Hearings (24 CFR § 91.105(f), 24 CFR § 91.105(a)(3))

The County must provide community members with the opportunity to comment on the preparation of the Consolidated Plan, Action Plan, substantial amendments to the Consolidated Plan and/or Action Plan, CAPER, CPP and the AFH. Translation services may be provided to the extent feasible with at least 3 days' advance notice before meetings, or hearings. Translated notices will be advertised to the extent feasible.

Notice of public meetings, public hearings, and notification of comment periods will be provided through the following methods:

- a. *Email campaigns:* Important information will be emailed directly to subscribed recipients announcing the purpose, time, date, and place of any public hearings, and meetings. To subscribe to our email notification list please send an email message to SS_HSDinfo@co.slo.ca.us and request to be added to the email notification list.
- b. *Meeting Notices:* All public hearings shall be advertised through written notices published in a newspaper of general circulation for at least 15 or 30 days as outlined in the Table shown below. When appropriate, press releases and meeting notices will be emailed directly to interested persons, or groups, who request to be placed on the County's email notification list. Applicants for CDBG, HOME or ESG programs will also receive written notice by email.
- c. *Meeting Time and Location:* Public hearings shall be held at times convenient for the public and the beneficiaries of the Consolidated Plan, Action Plan, substantial amendments to the Consolidated Plan and/or Action Plan, CPP, and the AFH. Public hearings shall be held in locations that are accessible to physically disabled individuals (in conformance with Section 504 of the Rehabilitation Act of 1973, 24 CFR Part 8, and the Americans with Disabilities Act).

4. Technical Assistance

Technical Assistance (24 CFR § 91.105(i)) – Technical assistance is available to groups representing income eligible persons that request assistance in developing funding proposals under any program covered by the Consolidated Plan. Assistance will include guidance regarding available funding, eligible activities for each grant programs; risk assessment factors used to select projects for funding; income requirements that may apply to grant programs; time frames and deadlines for applications and funding; potential availability of alternative funding and the need for matching funds; referrals to other appropriate funding agencies; reporting requirements for grant programs; and federal laws that may apply to a project.

5. Public Comments (24 CFR § 91.105(b)(5))

The County and participating cities will consider any comments, views or complaints from community members received in writing, or through the public engagement process during the preparation of the Consolidated Plan, Action Plan, substantial amendments⁶to the Consolidated Plan and/or Action Plan, CAPER, the AFH and revisions to the AFH. The Action Plan Program Manager is designated to collect any comments, views, or complaints. A summary of accepted comments or complaints, and a summary of any comments or views not accepted, and the reason thereof, shall

⁶ Substantial amendments are defined in the CPP section for Amendments.

be attached to the appropriate plan or report.

Action Plan Program Manager
 Department of Social Services, Homeless Services Division
 P.O. Box 8119, San Luis Obispo, CA 93403-8119

slocounty.ca.gov/Departments/Social-Services/Homeless-Services.aspx email
 SS_HSDinfo@co.slo.ca.us

Public Comment Period	
Plan, Hearing, or Report Name	Comment and Review Period
Notice of Funding Availability	30 days
Consolidated Plan Hearing/Consolidated Plan Substantial Amendment Hearing	30 Days
Action Plan Hearing/Action Plan Substantial Amendment Hearing*	30 Days
Assessment of Fair Housing/Assessment of Fair Housing Amendment	30 Days
Community Participation Plan Hearing/ Community Participation Plan Substantial Amendment Hearing	30 Days
Community Development Needs Assessment Hearing	15 Days
Consolidated Annual Performance and Evaluation Report	15 Days
* City initiated reallocations over \$200,000 shall be noticed by the publication of the agenda for the Board of Supervisors meeting. These reallocations shall be presented as a consent item.	

6. Complaints (24 CFR § 91.105(j))

Response to Complaints - The Department of Planning and Building will respond in writing within 15 working days where practical, to written complaints and grievances related to the HUD funded programs. Planning and Building will ensure that community members with complaints or grievances regarding the Consolidated Plan, Action Plan, amendment procedure, performance reports, and the AFH and revisions to the AFH, all receive an adequate response to their written complaints.

Adequate Information - The County shall notice and publish electronically, together with an invitation for project proposals, information concerning the amount of CDBG, HOME, and ESG funds expected to be available for housing & community development activities, and the range of activities that may be undertaken with those funds.

7. Anti-Displacement (24 CFR § 91.105(b)(1)(ii))

The County’s Residential Anti-Displacement and Relocation Assistance Plan (RARAP) follows HUD guidance as required under Section 104 (d) of the Housing and Community Development Act of 1974, which pertains to any project funded by federal funds. Any HUD funded project or activity that may displace individuals, households, or businesses, even temporarily, shall comply with the County’s Relocation Plans and Relocation Procedures Manual.

Section II Consolidated Plan/Action Plan

The Consolidated Plan is a five-year strategic planning document for the Urban County of San Luis Obispo that identifies housing and community development needs, priorities, and goals. The Consolidated Plan also incorporates Action Plans for each year covered within the five-year term that are adopted annually. The Action Plans address the goals and priorities of the Consolidated Plan by distributing grant funds to local programs and projects. Both the Consolidated Plan and Action Plan follow a similar development and adoption process, with the exception that Consolidated Plans are updated once every five years and applications are requested for the Action Plans. The flow chart below shows an outline of the Consolidated Plan and Action Plan process.

Consolidated Plan and/or Action Plan Process

Annual Performance Report (CAPER) Summarized progress of previously funded projects. Published for 15-day public review period.	August - September <i>(Due 90 days after the program year ends)</i>
Needs Assessment Workshops Provide information about available federal funding, eligible types of projects and discuss community needs.	August - October
Request for grant applications (Action Plan) Announcement of the available funding and eligible program activities for the next Action Plan year. Applications for projects/programs are open for submission.	September - November

<p>Community Development Needs Assessment Public Hearing Board of Supervisors Hearing to discuss funding priorities and community development needs, and to receive public comments.</p>	<p>October - December</p>
<p>Initial City Council Hearings to discuss available funds, eligible projects, community development needs, consider draft funding recommendations and receive public comments.</p>	<p>October - December</p>
<p>Prepare draft of the Consolidated Plan and/or Action Plan Affordable Housing Projects Funding Recommendations* Prepare and release draft Consolidated Plan and/or Action Plan; provide notice of a 30-day public review and comment period.</p>	<p>December - February</p>
<p>Board of Supervisors Hearing to consider Action Plan Draft Affordable Housing Project Funding Recommendations*</p>	<p>January - March</p>
<p>City Council Hearings to consider final approvals of Action Plan Draft Project Funding Recommendations City Council Hearings to consider final approval for draft project funding recommendations from each city.</p>	<p>January - February</p>
<p>Prepare draft of the Consolidated Plan and/or Action Plan Prepare and release draft Consolidated Plan and/or Action Plan and draft funding recommendations for a 30-day public review and comment period.</p>	<p>February - April</p>
<p>Final plan approvals Present the draft Consolidated Plan and/or Action plan and draft funding recommendations at a Board of Supervisors hearing to consider approving the draft Consolidated Plan and/or Action Plan, draft funding recommendations, and to receive public comments.</p>	<p>March - April</p>

Submit Consolidated Plan and/or Action Plan to HUD	May
Consolidated Annual Performance and Evaluation Report (CAPER) Summarize progress of previously funded projects. Published for 15-day public review and comment period.	July - September <i>(Due 90 days after the program year ends)</i>

**Depending on the applications received, there may be a need for affordable housing developers to apply for California Tax Credits prior to the public hearing to approve the Action Plan. This step may be eliminated if housing applicants are not applying for California Tax Credits for projects recommended for funding in the Action Plan. The annual calendar is based on HUD grant funding opportunities.*

Process

The Consolidated Plan and/or Action Plan begins with a review of the prior Action Plan year's CAPER to assess the progress made toward Consolidated Plan goals. .

The NOFA includes the anticipated funding from HUD grants for the Action Plan year. The NOFA includes eligible activities for each grant source and provides information regarding the application process.⁷

The County will conduct a Community Development Needs Assessment to solicit public engagement. Public input will be invited regarding housing and community development needs, which can be addressed through the CDBG, HOME or ESG programs. An online survey will be released for public input prior to the Community Development Needs Assessment Hearing. The results will be considered with other forms of input regarding community development needs.

A Community Development Needs Assessment Hearing will be conducted at a Board of Supervisors meeting to determine funding priorities for the Action Plan year. A 15-day public comment and review period will be provided prior to the hearing. Additional comments may be provided at the Community Development Needs Assessment Hearing for consideration.

Each city participating in the Urban County is encouraged to contribute to the Consolidated Plan and/or Action Plan processes by conducting their own initial hearing to discuss unmet needs.

Residents will be provided the opportunity to comment on the draft Consolidated Plan and/or Action Plan during a public review and comment period, at least 30 days prior to the Board of Supervisors hearing. Notice of the draft Consolidated Plan

⁷ 24 CFR § 91.105(b)(1)(ii)

and/or Action Plan recommendations to be considered at the public hearing will be provided in at least one newspaper of general circulation and can be reviewed on the Department of Social Services, Homeless Services Division website, slohomeless.com.

Residents may access copies of the draft plans and/or draft funding recommendations on the website or by using the contact information outlined in the notification.

Upon request, alternative forms of the Plan(s) will be available to any person with disabilities or translated for non-English speaking residents. Such requests must identify specific portions of the Plan(s) to be translated or provided in alternative forms.

The draft Consolidated Plan or Action Plan will be adopted upon a majority vote of the County of San Luis Obispo Board of Supervisors. The final Plan(s) will include a summary of comments or views of residents received in writing during the public review period or orally at the public hearing.

If the Action Plan is adopted by the Board of Supervisors with funding estimates, or HUD adjusts the grant program allocations amounts, the Director of the Department of Social Services may be authorized by the Board of Supervisors to adjust allocations when the final allocation amounts are released by HUD.

Amendments

Changes to the Consolidated Plan and/or Action Plan may require a substantial amendment to the Plan(s). Depending on the nature of the proposed changes, amendments are categorized as Substantial, or Administrative Amendments. The following describes the process for each type of amendment.

Note - Alternative Back-up Projects: The Urban County may include a list of back-up projects in the Action Plan. Should funding become available, the back-up projects may be activated. Approval of the Action Plan by the Board of Supervisors and by HUD will be considered as approval for the back-up projects. The County may activate these back-up projects at any time when funding becomes available, but the criteria below will be used to determine what level amendment is needed. The Board resolution approving the Action Plan will authorize the Director of the Department of Social Services to approve funding the back-up projects, as necessary. Activating the back-up projects does not constitute adding a new project or activity to the Action Plan.

Reallocation of Funds

- Reallocation of funding from an existing project or activity to another existing project or activity does not constitute an amendment. Approval from the Director of Social Services, or his or her designee, is required.
- Allocating program income not previously allocated to an existing project or activity does not constitute an amendment. Approval from the Director of Social Services or his or her designee, is required.
- Reallocations of more than \$200,000, or the allocation of program income of more than \$200,000, to an existing project or activity other than administration, requires approval from the Board of Supervisors.

Process for City Initiated Reallocation of more than \$200,000.

- a. City will confer with County staff on proposed change;
- b. One City Council meeting will be held obtaining approval;
- c. Documentation confirming City Council approval should be sent to County Staff;
- d. The reallocation will be presented to the Board of Supervisors at a public meeting as a consent item. Public notification shall be made with the publication of the Board of Supervisors meeting agenda;
- e. The Director of Social Services, or his or her designee, may approve the amendment. A letter approving the amendment will be sent to the city.

Substantial Amendment

A substantial amendment is required for significant changes, as defined below.

- a. - Adding a new CDBG or HOME project or a new ESG activity. A project or activity is defined as "new" when this project has not been previously referenced in a Consolidated Plan or an Action Plan or has not received prior approval from the Board of Supervisors;
- b. Changing goals or policies of the Consolidated Plan or the Action Plans;
- c. Substantially changing the purpose, scope, service level, location, or beneficiaries of an approved CDBG or HOME project, or ESG activity.

Process for Substantial Amendments

- a. One public hearing will be held;
- b. A 15-day public notice of the date, time, and place of the public hearing will be made available to the public unless notification is included in the 30-day public notice as outlined in section c below; and
- c. The proposed changes to the Consolidated Plan or an Action Plan will be published for a 30-day review period in at least one newspaper of general circulation to allow the public to determine if they are affected and desire

to comment on the proposed changes.

Administrative Amendment

An administrative amendment is a minimal change as defined below.

- a. Reallocation of \$200,000 or less in funds:
 - i. From and existing CDBG project or activity, HOME project or activity, or an ESG activity to an existing CDBG project or activity, HOME project or activity, or an ESG activity;
- b. Allocation of HOME Tenant-Based Rental Assistance (TBRA) program income back into the HOME TBRA program; or
- c. Reallocation of previously approved funding for administrative, planning, capacity building, HMIS, or public services to a non-administrative or public service need, after the initial funding year, provided the reallocation does not exceed subsequent program year maximums of 20% for administrative costs and 15% for public services.

Process for Administrative Amendments

City initiated reallocations of \$200,000 or less will follow the process below:

- a. Confer with County staff on proposed change;
- b. Provide a letter from the City Manager, or his or her designee, identifying the proposed request; and
- c. Receive a letter from the Director of the Department of Social Services, or his or her designee, approving or denying the amendment.

If County initiated, the County will:

- a. Confer with management on proposed change; and
- b. Develop a memo for the file signed by the Director of the Department of Social Services, or his or her designee.

Section III – Assessment of Fair Housing (AFH)

The regulations set forth by 24 CFR Part 5 describe Affirmatively Furthering Fair Housing (AFFH) as taking meaningful actions to overcome historic patterns of discrimination, promote fair housing choice, and foster inclusive communities that are free from discrimination (24 CFR § 5.150). The AFFH rule requires an analysis of fair housing conditions within the Urban County utilizing either the Assessment of Fair Housing (AFH) or the Analysis of Impediments to Fair Housing (AI). These reports are tools that assist the Urban County with identifying fair housing issues and related contributing factors in order to create comprehensive community development goals that will affirmatively further fair housing. Should HUD require a different type of

analysis of fair housing, the County will adhere to the required standard.

The AFH and/or the AI are maintained and updated by the Department of Planning and Building and the Department of Social Services.

Prior to the adoption of the AFH or any substantial amendment or revision to the AFH, the public shall be provided with a minimum of 30 days to review the draft AFH and provide comments before the public hearing. Once approved by the Board of Supervisors, the AFH will be submitted to HUD for approval. Public comments shall be attached to the AFH.

In addition, all activities and programs related to housing and urban development that are funded by grant programs are subject to HUD's AFFH rule.

AFH Plan Preparation (Updated as needed)

Consultation and Posting of Available Data

Initiate consultation process described in Section 1 – Other Requirements.
--

Prepare draft of the AFH

Prepare and publish the draft (proposed) AFH for a 30-day public review and comment period.

Fair Housing Hearing

A public hearing will be held in front of the Board of Supervisors to discuss fair housing matters and the draft AFH. The Public Hearing requires a 30-day public review and comment period.
--

Prepare final AFH

Incorporate public comments.

Submit to HUD

Process

The County will begin the preparation of the AFH with the following steps:

- Initiate the consultation process described in Section 1 – Other Requirements.
- Make available the HUD-Provided data (i.e., AFH Tool) and any other information or materials the County plans to incorporate into its AFH to the public. This data shall be posted on the County's website. HUD data can be cross-referenced by providing links to HUD's fair housing website(s).

The County will collect feedback through the consultation process and will use the HUD data provided by the AFH Tool. A draft AFH will be prepared and made available for public viewing. A public notice will be issued, outlining the Fair Housing hearing and the availability of the draft AFH. This combined notice shall include:

- A legal advertisement which describes the content and purpose of the AFH shall be placed in at least one newspaper of general circulation as described in Section 1 – Other Requirements – Public Notices, Meetings and Hearings. A copy of the notice shall be emailed to subscribers of through the email notification list.
- The draft AFH shall be published on the County website for a 30-day public review and comment period. The notice should indicate how the public may request a copy.
- Any comments or views of agencies and residents that have been received in writing or orally, either at the public hearing or during the 30-day comment period, shall be considered during the development of the final AFH. At the end of the 30-day public review and comment period, a summary of the comments shall be prepared. This summary will be attached to the final AFH. This summary shall include accepted comments, along with comments or views not accepted, and reasons why.⁸

A Public Hearing to review and consider adopting the AFH shall be held during a Board of Supervisors meeting.

The approved AFH will be submitted to HUD. The AFH will be made available to the public as described in Section 1 – Public Comments.

Revisions of the AFH

Minimum Criteria for Revisions

An AFH previously accepted by HUD must be revised and submitted to HUD for review under the following circumstances:

- a. A material change, which consists of a change in circumstances within the County, occurs to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances;
- b. Significant demographic changes;
- c. New significant contributing factors in the County;
- d. Civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; and/or

⁸ 24 CFR § 91.105(b)(5)

- e. Upon HUD's written notification specifying a material change that requires revision.

Revised AFH

A revision shall consist of preparing and submitting amended analyses, assessments, priorities, and goals that consider the material change, including any new fair housing issues and contributing factors that may arise as a result of the material change.

- a. A revision may not necessarily require the submission of an entirely new AFH; and
- b. The revision need only focus on the material change and appropriate adjustments to the analyses, assessments, priorities, or goals.

Timeframe for Revision

Where a revision is required, it shall be submitted within 12 months of the onset of the material change, or at such later date as HUD may provide.

- a. Where the material change is the result of a presidentially declared disaster, such time shall be automatically extended to the date that is 2 years after the date upon which the disaster declaration is made, and HUD may extend such deadline, upon request, for good cause shown;
- b. The revision need only focus on the material change and appropriate adjustments to the analyses, assessments, priorities, or goals; and
- c. A public hearing is not required for AFH revisions.

AFH Revision Not Required

If HUD provides the County a written notification indicating that a revision to the AFH is needed, then on or before 30 calendar days following the date of HUD's written notification, the County may advise HUD in writing of its belief that a revision to the AFH is not required.

Note - Upon any revision to the AFH pursuant to 24 CFR 5.150 through 5.180, PHAs must revise their PHA Plan within 12 months, consistent with the AFH revision, and pursuant to 24 CFR 903.15(c).

Section IV – CAPER and Performance Reviews

Accomplishments and progress toward the Consolidated Plan goals are reported by the Urban County in the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER is an annual report which identifies the County's annual accomplishments through the Action Plans toward meeting the priorities and goals of the Consolidated Plan.

Process

The CAPER must be completed within 90 days of program year end, typically by the end of September.

The public will be notified of the draft CAPER, in at least one newspaper of general circulation, and can be reviewed on the Department of Social Services, Homeless Services Division website, slohomeless.com. Residents may also obtain copies by using the contact information as outlined in the notification. A period of no less than 15 days will be given for public review and comment prior to its submission to HUD.⁹ The County will consider all comments or views of residents presented in writing or phone calls, and a summary of comments will be attached to the final CAPER.¹⁰

No public hearings are required for the CAPER. Results in the CAPER will be available to the public upon request.

Amendments

Amendments to the CAPER must be submitted to the HUD Field office for review and approval.

CARES Act Amendment

Purpose

The County of San Luis Obispo will receive additional Community Development Block Grant (CDBG) and Emergency Solutions Grant (ESG) funding from the U.S. Department of Housing and Urban Development (HUD) through The Coronavirus Aid, Relief and Economic Security Act (CARES Act). The CARES Act funding is commonly known as CDBG-CV and ESG-CV. The CARES Act provides flexibility for Entitlement Communities to make it easier to use CDBG-CV and ESG-CV during Program Year 2019. The CARES Act authorizes HUD to grant waivers and alternative requirements. This amendment to the Community Participation Plan addresses flexibility in requirements for public participation and public hearings for CDBG-CV and ESG-CV funding.

Community Participation

The published public review and comment period pertaining to amendments to the Community Participation Plan, Consolidated Plan, Annual Action Plan(s), and Substantial Amendment(s), as they relate to CDBG-CV and ESG-CV, shall be a minimum of 5 days. During this time, the public will have an opportunity to submit comments orally, in writing, or via electronic methods, as directed in the notice. Comment periods for more than one of the above documents may run concurrently.

⁹ 24 CFR § 91.105(d)(1)

¹⁰ 24 CFR § 91.105(d)(2)

Public Hearings

Virtual public hearings are allowed under the following circumstances:

- National/local health authorities recommend social distancing and limited public gatherings for public health reasons;
- Virtual hearings provide reasonable notification and access for citizens in accordance with the grantee's certifications, timely responses from local officials to all questions and issues, and public access to all questions and responses.

A formal notice of the public hearing will be published in at least one newspaper of general circulation and/or can be reviewed on the Department of Social Services, Homeless Services Division website, slohomeless.com [or on social media, no less than 5 days prior to the hearing.](#) Residents may also obtain copies by using the contact information as outlined in the notification, The notice will also be sent to known stakeholder groups, partner organizations and interested members of the public to further publicize via linkage to their respective websites, newsletters, and social media.

Executive Orders and Federal Amendments

In the event of a local, state, and national natural disaster, existing and new Federal funding may be allocated or re-allocated in an expedited timeframe. To streamline the allocation process and reduce delays in accessing grant funds following an Executive Order or HUD notices, waivers, award letters or other Federal direction, guidance, and communication. To achieve this minimum community participation requirement, it will be applied per Executive Order(s) and Federal (HUD) notices, waivers, award letters or other Federal communications to the Consolidated Plan and/or substantially amended Action Plan(s).

Disaster/Emergency Events that May Require Expedited Major Amendments

It may be necessary to amend the Consolidated Plan in the event of a declared disaster or emergency. There are three (3) types of disasters/emergency events that may necessitate an expedited substantial amendment including (1) Man-made disasters, (2) Natural disasters, and (3) Terrorism. Man-made disasters can include chemical spills, power outages, dam failure, plant explosion, etc. Natural disasters can include flooding, earthquakes, wildfires, and public health issues. Terrorism events include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution,

These expedited amendments may include funding new activities and/or the reprogramming of funds including canceling activities to meet community development needs resulting from a declared disaster or emergency. Therefore, the County of San Luis Obispo may utilize CDBG, HOME and ESG funds to meet these needs with a 5-day public comment period instead of a 30-day public comment period, which is otherwise required for major amendments.

With respect to a federally declared disaster, the County of San Luis Obispo may elect to use CDBG or other federal funds such as CDBG-Disaster Recovery (CDBG-DR) to address needs not met through Federal Emergency Management Agency (FEMA), Small Business Administration (SBA), or other disaster relief efforts. Funding for disaster relief may not duplicate other efforts undertaken by federal or local sources unless allowed by the federal government. Potential eligible uses of funds are those that are included in this Community Participation Plan, the Consolidated Plan, the Action Plan, or any other CDBG eligible use. The County of San Luis Obispo may allocate these funds to address disaster related needs with a public comment and review period of at least 5 days or as allowed by HUD guidance. A Board of Supervisors hearing is required to allocate funds of more than \$200,000 to an individual activity. An amendment to the Consolidated Plan, Action Plan or Participation Plan is not required to utilize these funds. HUD may provide new guidance on eligible uses in which the County will comply and may utilize as well.

All eligible CDBG activities, including those to address federally declared disasters or emergencies, must meet one of three (3) national objectives which are: (1) Benefit to low- and moderate-income (LMI) persons; (2) Aid in the prevention of slums or blight; and (3) Meet a need having a particular urgency. The County may carry out eligible CDBG activities to meet needs resulting from federally declared disasters or emergencies under any one of the three (3) national objectives.

In the event that the County is closed to the public, has declared an emergency, or for as long as national or local health authorities recommend social distancing and limiting public gatherings for public health and safety reasons, virtual public meetings, and hearings may be used to fulfill applicable public hearing requirements. Real-time responses and accommodations for persons with disabilities and/or limited English proficiency will be made available to the greatest extent possible.

Urgent Need Objective: The national objective of meeting community development needs having a particular urgency, shall be met if a local, state, or federal emergency has been declared and remediation activities are tied back to the original disaster.

HUD may provide a waiver(s) for activities that meet the urgent need national objectives.

Urgent need activities may include, but not limited to, the following:

- Clearance of debris;
- Provision of extra security patrols;
- Demolition, clearance and/or reconstruction of damaged property posing an immediate threat to public safety;
- Construction of affordable housing.
- Replacement or repair of modular housing.
- Emergency reconstruction of essential infrastructure.;
-
- Providing a variety of relief services to individuals