

City of Wilkes-Barre -- Citizen Participation Plan

It is the City of Wilkes-Barre's intention to conduct all aspects of citizen participation in a complete transparent manner. The public and all interested persons/organizations will have freedom to access the implementation of all activities, as well as, the information prior and resultant of, carried out by the City under the Community Development Block Grant Program, HOME Investment Partnership Program and other federally funded programs as delineated in the regulations governing the submission of the Consolidated Plan.

This plan is intended to establish criteria to ensure adequate citizen participation in the planning and development of activities under the program as listed above.

To ensure that all citizens are provided the opportunity to participate in the development of the housing and community development plan, any amendments to the plan and the performance report, the City will:

- Schedule and conduct at least two (2) public hearings with adequate advance notice at locations convenient to all persons. One of the public hearings will be held before the Plan is published for comment.
- Public hearings will primarily be held in City council Chambers, located on the 4th Floor, Wilkes-Barre City Hall, 40 East Market Street, Wilkes-Barre, PA 18711. Additional public hearings may be held in well known neighborhood facilities, when available.
- Such public hearings will be designed in a manner to achieve full citizen participation and provide citizens with adequate and timely information concerning the amount of funds available for all components of the Plan, including proposed community development and housing activities, HOME funding and; the process to be used in formulating the Plan; the range of activities

that may be undertaken; and other important program requirements.

- Provide a process of citizen participation at community-wide levels with regard to the overall program by involving citizens, citizen organizations, public and private agencies that provide assisted housing, health services and social services through all stages of the program.
- Meet with recognized representatives of neighborhood and community-wide organizations, when such representatives request, to discuss policy decisions regarding program implementation and other program aspects.
- Provide citizens and representative citizens groups, at the public hearings prior to the Plan submission and during all phases of the program, specific information concerning program activities and progress toward their implementation, if so requested
- Encourage the submission of views and proposals by citizens, particularly low/moderate income persons, residents of blighted neighborhoods, and residents of public and assisted housing.
- Provide a citizen participation plan for the timely response to incorporate appropriate and practicable procedures to handle complaints from citizens related to the Consolidation Plan, amendments and performance reports.
- Provide for needs of non-English speaking residents when requested.
- Provide for needs of persons with disabilities when requested.

In order to adequately stimulate and encourage citizen participation, the City of Wilkes-Barre, at a minimum will abide by the following requirements:

1. Public Hearings

The City of Wilkes-Barre shall provide citizens/organizations with adequate notice and access to local public meetings relating to the

City's proposed and actual use of funds under the Community Development Block Grant and HOME Investment Partnership Programs by holding at least two (2) public hearings per year to obtain citizens' views to respond to proposals and questions. At a minimum, the following shall apply:

1. One public hearing shall be conducted to address housing and community development needs and the development of proposed activities to be carried out within the CDBG and HOME Programs, and;
2. One public hearing shall be conducted to review the City's performance in carrying out activities in the above programs; and
3. One public hearing shall be held in the advent of an amendment to the Action Plan to provide citizens with reasonable notice and opportunity to comment on the proposed changes in use of funds, addition of any activity, and deletion of any activity.

All public hearings will be held in City Council Chambers, located on the 4th Floor, Wilkes-Barre City Hall, 40 East Market Street, Wilkes-Barre, PA 18711. Additional public hearings may be held in well-known neighborhood facilities when the need is identified. If there is situation that presents itself where public hearing cannot be held in person the City will utilize internet based options that are available at that time, and or will solicit in our local newspaper as well as the City's website and other social media outlets where applicable. Advertisements for public hearing notices shall contain provisions for persons with disabilities and non-English speaking persons.

2. Access to Information and Records

A. The City will provide citizens with reasonable and timely access to information and records relating to city proposed and actual use of funds for programs listed above.

1. Upon written request, individuals and groups will be provided a copy of the City's Consolidated Plan, Annual Action Plan and Consolidated Annual Performance Report.

(a) Notice of availability of said documents shall be published in newspapers and advertised on the City of Wilkes-Barre's website and social media accounts.

B. Said documents will be available for inspection at the Wilkes-Barre Office of Economic & Community Development, 3rd Floor, City Hall, 40 East Market Street, Wilkes-Barre, PA 18711.

C. Copies of the Consolidated Plan will be distributed to the following organizations:

1. Wilkes-Barre Housing Authority
50 Lincoln Plaza
Wilkes-Barre, PA 18702

2. Luzerne County Community Development
54 West Union Street
Wilkes-Barre, PA 18701

3. The City of Wilkes-Barre's official Website
a. <https://www.wilkes-barre.city/>

4. The City of Wilkes-Barre's Office of Economic & Community Development
Wilkes-Barre City Hall
40 East Market Street, 3rd Floor
Wilkes-Barre, PA 18711

3. Publication of Notices

- A. Notices of public hearings will be published via alternating between the two (2) local newspapers of general circulation of the city of Wilkes-Barre. Advertisement size shall be approximately 3" x 5". In addition, Notice of Public Hearings will be posted on the City of Wilkes-Barre's website and social media accounts.
- B. Notice of the availability of the Consolidated Annual Performance Evaluation Report will be published in a newspaper of general circulations within the City, along with notice of availability of the Report, in accordance with Section 6 (Consolidated Annual Performance Evaluation Report) of this Plan.
- C. Notice of substantial amendments to the City's Annual Action Plan will be published in a newspaper of general circulation with the city, along with notice of availability of the Amendment, in accordance with Section 7 (Amendment to Annual Action Plan) of this Plan.
- D. Notice of HUD's Comments will be published via one of the two (2) newspapers in accordance with Section 6 (Consolidated Annual Performance Evaluation Report).

4. Comments/Complaints

The City shall allow a 30 day comment period for residents any other interested party to provide public comment; however, due to COVID-19, and or any other natural disaster or pandemic may arise the City may exercise a 5 day public comment period.

The City shall respond with a timely written answer to written comments, requests, proposals, complaints and grievances, within fifteen (15) working days from receipt, where applicable. Whenever practical, responses will be made prior to formal local approval of any application under question. Said citizen comments will be taken into consideration throughout the planning/performance/evaluation process of carrying out all of the Community Development Programs.

5. Consolidated Plan/Annual Action Plan

A. The City will hold at least one (1) public hearing during the Consolidated Planning process, either separate or combined with another Office of Economic & Community Development public meeting to achieve the following:

- i. Obtain the views of citizens on the City's community development and housing needs;
- ii. Provide information to citizens on the amount of available funding and the range of community development and housing activities that may be undertaken;
- iii. Obtain views and comments on activities for inclusion in the development of the Annual Action Plan and

respond to citizens' questions as they relate to the Consolidation Plan.

- B. The City shall consider citizen comments on the Consolidation Plan prior to submission of the formal document to the Department of Housing & Urban Development.
- C. The City's Consolidated Plan shall be submitted to HUD no later than forty-five (45) days prior to the start of the Program Year unless written approval is obtained from the Department of Housing & Urban Development to alter the date.
 - i. The City of Wilkes-Barre Program Year begins on January 1st and concludes on December 31st.

6. Consolidated Annual Performance Evaluation Report

- A. A public hearing shall be held to review the City's performance in carrying out activities under the Community Development Programs.
- B. Notice of the completion of the Annual Performance Report shall be published in a newspaper of general circulation in accordance with Section 3 (Publication of Notices) of this Plan. Said notice shall:
 - i. Be published not less than 15 days prior to submission of the Report to HUD
 - ii. Inform the public of the date, time and purpose of the public meeting

iii. Inform the public when the report will be available for review and where and how it may be obtained

iv. Include the date of submission to the Department of Housing and Urban Development.

v. Clarify the process for submitting comments regarding the plan.

C. Upon completion of HUD's review of the Report, written comments regarding the content will be provided to the City. The City will respond in writing to any questions or concerns. HUD will review the City's response and then issue its final written Assessment of the City's Performance.

D. A Notice of Availability of the Consolidated Assessment will be published in a newspaper of general circulation within the city in accordance with Section 3 (Publication of Notices) of this Plan. Said Notice shall:

i. Inform the public where and how the Assessment may be obtained.

ii. Clarify the process for submitting comments regarding the Assessment.

7. Amendments to Annual Action Plan

A. The City shall amend its Annual Action Plan whenever a substantial change occurs in activities.

i. Substantial change to the Action Plan shall be defined as an elimination of an activity; addition of an activity not previously included; revision of an activity, which

will drastically change the purpose, scope, location or beneficiaries or a change in the project cost by 40% or more.

1. A change in the type of activity (example: street improvements to recreational improvements) is considered to be a substantial change, regardless of location of the activity, since the total scope of the project has been revised.
2. When an activity has cost overruns or cost savings of greater than 40%.
3. When an activity is changed from one site to another (example: street improvements changed from Street A to Street B) this would not be considered a substantial change IF the activity was fundable as a direct benefit activity or as one that benefitted the entire locality on an area-wide low and moderate income or elimination of slum and blight basis.

B. Prior to amending its Plan, the City shall hold a public meeting to provide citizens with reasonable notice of, and an opportunity to comment on proposed changes to the use of funds.

- i. Said meeting shall be advertised in a newspaper of general circulation, as further described in Section 3 (Publication of Notices) of this Plan.

C. The City shall consider any such comments and, if deemed appropriate, modify the amendment.

D. The City shall publish a description of the amendment in a newspaper of general circulation, in accordance with Section 3 (Publication of Notices) of this Plan.

- i. Said notice shall include the scheduled date for adoption of the Amendment by the City Council of the City of Wilkes-Barre and the formal notification of amended activities to the Department of Housing and urban Development
- ii. Said notice will provide clarification as to where and how the Amendment may be obtained and the procedure for submission of citizen's comments or questions.
- iii. Said notice will be published not less than thirty (30) days prior to adoption by the City Council of the City of Wilkes-Barre.

E. The final amendment shall be approved at a regularly scheduled meeting of Wilkes-Barre City Council.

F. A letter with a detailed description of the amended activities shall be submitted to the Department of Housing and Urban Development.

8. Technical Assistance

A. The City shall provide technical assistance to groups and representatives of persons of very low, low and moderate income that request such assistance in developing proposals, with the level and type of assistance to be determined by the City. To request

technical assistance groups or individuals are encouraged to contact:

Joyce Zaykowski, Director
Wilkes-Barre Community Development Office
40 East Market Street
Wilkes-Barre, PA 18711
570-208-4138

9. Anti-Displacement

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

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

It is the policy of the City of Wilkes-Barre that Community Development Block Grant Funds will not be utilized for the demolition of a low/mod dwelling unit. Community Development Block Grant funded demolition will occur only when the unit is vacant and meets the criteria of a substandard housing unit unfit for rehabilitation as defined below.

1. **Standard Housing Unit/Good Condition:** Is a house, an apartment, a mobile home, a group of rooms or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters. Separate living quarters are those in which the occupants live and eat separately from any other persons in the building and which have direct access from the outside of the building or through a common hall. Also, with no code violations present, as per File of Council No. 28 of 2004 article III of the Housing Code of Ordinance Sec. 7 – 75 to 7 – 116 and Resolution No. R0089-09 dated May 21, 2009, as well as the minimum Section 8 Existing Housing Quality standards being met.
2. **Vacant Unit:** Is a unit that has not been occupied for over a period of time, normally 12 months.
3. **Substandard Housing Unit/Suitable for Rehabilitation:** Is a unit that has one or more Code Violations as per File of Council No. 28 of 2004 article III of the Housing Code of Ordinance Sec. 7 – 75 to 7 – 116 and Resolution No. R0089-09 dated May 21, 2009. Also, minimum Section 8 Existing Housing Quality standards being met.
4. **Substandard Housing Unit/Unfit for Rehabilitation:** Is a unit where the cost of the required rehabilitation to bring the

unit up to the Housing Quality Standards exceeds 50% of the post-rehabilitation property value. The unit is not considered to be suitable for rehabilitation.

10. Community Survey

In beginning of 2016, the Office of Community Development launched a Community Survey which was designed to increase citizen participation and obtain input from every person who lives, works, attends institutions of higher education, and attends entertainment or recreational activities in the City.

The Community Survey is available on the City's website and Facebook page with hard copies being available at City Hall in the Offices of the Mayor and Community Development. Additionally, a press release is sent to all media outlets.

The data and comments received from the survey submissions are evaluated on an annual basis to determine if any changes to the City's programs are warranted.