

AMENDED CITIZEN PARTICIPATION PLAN (CCP)

for the

**CITY OF WILMINGTON, DELAWARE
DEPARTMENT OF REAL ESTATE & HOUSING**



**RELATING TO THE ADMINISTRATION OF
THE COMMUNITY PLANNING & DEVELOPMENT PROGRAMS
OF THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)**

Public Comment Period from May 7, 2020 to May 12, 2020

Public Hearing on May 11, 2020

Adopted _____

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A. Introduction

Purpose

Pursuant to the citizen participation requirements of 24 CFR Part 91 and 24 CFR Part 5, the City of Wilmington Department of Real Estate and Housing set forth the following amended Citizen Participation Plan (the "Plan") as it relates to the administration of the Community Planning and Development (CPD) programs funded by the U.S. Department of Housing and Urban Development (HUD).

The City of Wilmington, DE ("City") is an Entitlement Grantee under the federal Community Development Block Grant (CDBG) Program, the HOME Investment Partnerships Program (HOME), Emergency Solutions Grant Program (ESG) and Housing for Person with HIV/AIDS (HOPWA). The City's Department Real Estate and Housing is responsible for the statutory and regulatory requirements for each of these programs and is also the Programs' administration.

The Plan presents City's intent for providing for and encouraging all citizens to participate in the development, revision, amendment, adoption, and implementation of:

- 1) The Citizen Participation Plan
- 2) The Analysis of Impediments to Fair Housing (AI)
- 3) The Consolidated Plan (CP)
- 4) The Annual Action Plan (AAP)
- 5) The Consolidated Annual Performance and Evaluation Report (CAPER), and
- 6) The Section 108 Loan Guarantee Program

Lead Agency

The City of Wilmington Department of Real Estate and Housing is the lead agency responsible for the administration of the CDBG, HOME, ESG and HOPWA Programs for the City.

Contact Person

All communication regarding the documents covered by this Plan, comments, complaints, reasonable accommodation for disabled persons, translation services, or other elements shall be directed to:

Mr. Alan Matas
Louis L. Redding City/County Building
Department of Real Estate and Housing
800 N. French Street, 7th Floor
Wilmington, DE 19801
Phone: (302) 576-3000
Fax: (302) 573-5588
ajmatas@WilmingtonDE.gov

Effective Date

Subsequent to approval of this amended Citizen Participation Plan by the Wilmington City Council, the Plan shall be effective until it is amended or otherwise replaced.

B. Encouragement of Citizen Participation

General

The City provides for and encourages citizens to participate in the development, revision, amendment, adoption and implementation of the Citizen Participation Plan, the Analysis of Impediments to Fair Housing, the Consolidated Plan, the Annual Action Plan, and the CAPER. The City encourages participation by low- and moderate-income persons, particularly those living in areas designated as revitalization areas or in slum and blighted areas and in areas where HUD funds are proposed to be used, and by residents of predominantly low- and moderate- income neighborhoods. With respect to the public participation initiatives included in this Plan, the City will take appropriate actions to encourage the participation of all citizens, including minorities, non-English speaking persons, and persons with disabilities, as described below.

Non-English Speakers

Where a significant number of non-English speaking residents can be reasonably expected to participate in a public meeting, an interpreter will be provided upon written request to the City's Department Real Estate and Housing no later than 48 weekday hours prior to the day of a public meeting.

To encourage these residents to participate in the development of the Analysis of Impediments to Fair Housing, the Consolidated Plan, and the Annual Action Plan, the City will undertake the following initiatives in addition to publishing advertisements in the *News Journal* for these activities:

- At least one stakeholder interview or focus group session will be scheduled during the stakeholder consultation process for each and will focus on persons with limited English proficiency, and
- The City will provide a Spanish version of meeting agendas, handouts and surveys at meetings and stakeholder interviews conducted for each planning process if requested.

Persons with Disabilities

Persons with disabilities requiring special accommodations to participate in public meetings should call the Contact Person, or a designee, no later than 48 weekday hours prior to the day of a meeting. The City will conduct all public meetings in locations that are handicapped-accessible, when available. If requested, the City will mail copies of public meeting notices to persons who are homebound and request such accommodation no less than seven days prior to the public meeting.

Low- and Moderate-Income Persons

The City will conduct at least one public meeting in a neighborhood that contains at least 51% low- and moderate-income residents, based on current HUD data, during the development of the Analysis of Impediments to Fair Housing, the Consolidated Plan, and the Annual Action Plan.

Organizations and Agencies

The City encourages the participation of local and regional institutions, the Continuum of Care, businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations in the process of developing, revising, amending, adopting, and

implementing all documents covered by this Plan. This will be achieved through stakeholder interviews, focus groups and/or public meetings.

Local Public Housing Authority

The City encourages, in consultation with the Wilmington Housing Authority, the participation of residents of any public housing development located within the City, in the process of developing, revising, amending, adopting, and implementing the documents covered by this Plan. The City will provide information to the executive director of the public housing authority about the Analysis of Impediments to Fair Housing, its affirmatively furthering fair housing strategy, and Consolidated Plan activities related to the public housing developments and communities so that the City public housing authority can make this information available at the annual public hearings required for their Housing Authority Agency Plan.

The City encourages participation by resident advisory boards and resident councils of the City public housing authority. This will be carried out by providing information on public meetings, surveys and other outreach initiatives related to the documents covered by this Plan.

Public Notices

Public review/comment periods and public hearings held in the process of developing, revising, amending, adopting, and implementing the documents covered by this Plan shall be advertised in the *News Journal* no less than one day before the public review and comment period commences and no less than seven days before a public hearing is held.

Public Hearings

All public hearings will be scheduled at times and locations that are reasonably convenient for potential and actual program beneficiaries, and with accommodation for persons with disabilities and non-English Spanish speakers in accordance with this Plan.

Technical Assistance

The staff of the Department Real Estate and Housing is available to assist organizations and other eligible entities that are interested in submitting a proposal to obtain funding through the CDBG/HOME/ESG/HOPWA programs. All potential applicants are strongly encouraged to contact the Contact Person, or a designee, for technical assistance before initiating a funding request application.

Online Access

The City will post draft copies and final copies of all documents covered by this Plan on its website accessible at: www.WilmingtonDE.gov

Other Engagement Techniques

The Plan may be amended as the City continues to gain access to technology that improves the avenues of participation by its residents.

C. The Citizen Participation Plan

Plan Development

The City shall follow the following procedure when amending its Citizen Participation Plan.

a. Public Review of the Draft Plan

The draft Citizen Participation Plan will be made available for public review for a 15-day period prior to the City Council consideration and adoption and may be done concurrently with the public review and comment process for the Consolidated Plan. Copies of the draft Citizen Participation Plan will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

b. Public Hearing

The City will conduct a public hearing to accept comments on the amended Citizen Participation Plan prior to its approval and submittal to HUD. This public hearing may be held concurrently with the public hearing held in conjunction with the Consolidated Plan.

c. Comments Received on the Draft Plan

Written comments will be accepted by the Contact Person, or a designee, during the 15-day public review period. The City will consider any comments or views of residents received in writing, or orally at the public hearing, in preparing the final Plan. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Plan for submission to the City Council and to HUD.

d. City Council Action

Following the public hearing, the Plan will be presented to the City Council for consideration and formal action. A summary of all written comments and those received orally during the public hearing, as well as the City's responses to all written comments, will be attached to the Plan prior to submission to the City Council.

e. Submission to HUD

The Plan will be approved as a stand-alone document and submitted to HUD with a summary of all written comments and those received orally during the public hearing as well as the City's responses to written comments and proof of compliance with the 15-day public review and comment period requirement. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as well.

Amendments to the Approved Citizen Participation Plan

The City shall follow the following procedure to amend its approved Citizen Participation Plan, as needed.

a. Amendment Considerations

The City will amend the Plan, as necessary, to ensure adequate engagement and involvement of the public in making decisions related to its HUD programs. Substantial amendments to the Citizen Participation Plan may be required should a provision of the Plan be found by the City to conflict with HUD regulations, or when changes in HUD regulations occur. Edits to the Plan that only include updated contact information or editorial changes for clarity will not be placed for a formal public review and comment period, nor will a public hearing or City Council action be required.

b. Draft Amended Plan Review

The draft Amended Plan will be made available for public review for a 15-day period prior to the City Council consideration and adoption and may be done concurrently with the public review and comment process for the Consolidated Plan. Copies of the draft Amended Plan will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

c. Comments Received on Draft Amended Plan

Written comments will be accepted by the Contact Person, or a designee, during the 15-day public review period.

d. Public Hearing

The City will conduct a public hearing to review and accept public comments on the draft Amended Plan prior to its approval and submittal to HUD. This public hearing may be held concurrently with the public hearing held in conjunction with the Consolidated Plan.

e. City Council Action

Following the public hearing, the Plan will be presented to the City Council for consideration and formal action.

f. Submission to HUD

A copy of the Amended Citizen Participation Plan, including a summary of all written comments and those received during the public hearing as well as the City's responses and proof of compliance with the minimum 15-day public review and comment period requirement, will be submitted to HUD. A summary of any comments or views not accepted and the reasons therefore shall be supplied to HUD as well.

Plan Access

The approved Amended Citizen Participation Plan will be kept on file at the City's Department of Real Estate and Housing. The plan can be accessed online at www.WilmingtonDE.gov. Hard copies can be made available to those requesting the approved Amended Plan by contacting the Contact Person, or a designee.

D. Analysis of Impediments to Fair Housing (AI)

Plan Development

The City will follow the process and procedures described below in the development of its Analysis of Impediments to Fair Housing (AI).

a. HUD-approved Data for Public Review

The City will make available to the general public the HUD-approved data and other supplemental information that the City plans to incorporate into its AI. The City will make this data available no later than 30 days after the initiation of the AI document. The data will be made available online and accessible at www.WilmingtonDE.gov. This may include a link to HUD's website where the data can be readily accessed. The data will also be made available during the stakeholder consultation and citizen outreach initiatives conducted during the preparation of the AI.

b. Stakeholder Consultation and Citizen Outreach

In the development of the AI, the City will consult with other public and private agencies including, but not limited to, the following:

- Wilmington Housing Authority
- Other assisted housing providers
- Social service providers including those focusing on services to minorities, families with children, the elderly, persons with disabilities, persons with HIV/AIDS and their families, homeless persons, and other protected classes
- Community-based and regionally based organizations that represent protected class members and organizations that enforce fair housing laws
- Regional government agencies involved in metropolitan-wide planning and transportation responsibilities
- Other related entities.

A variety of mechanisms may be utilized to solicit input from these entities. These include telephone or in-person interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

c. Public Meeting and Public Hearing

To obtain the views of the general public on AI related data and affirmatively furthering fair housing in the City's housing and community development programs, the City will conduct at least one public meeting prior to the draft AI being adopted and will solicit input on fair housing issues.

The City will conduct a public hearing on the AI during or after the 30-day public comment period during which the City will address identified factors contributing to fair housing issues and proposed fair housing goals and priorities for affirmatively furthering fair housing.

d. Public Display and Comment Period

The draft AI will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the content and purpose of the draft AI, the dates of the public display and comment period, the locations where copies of the draft document can be examined, how comments will be accepted and when the document will be considered for action by the City Council. Copies of the draft AI will be made available for public review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

In addition, the City will make available a reasonable number of free copies of the proposed document to residents and groups that formally request them in writing.

e. Comments Received on the Draft Analysis of Impediments

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at the public hearings, in preparing the final AI. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AI for submission to the City Council.

f. City Council Action

Following the public hearing, the AI will be presented to the City Council for consideration and formal action.

Revisions to the AI

The City shall follow the following procedure to revise its AFH, as needed.

a. Revision Considerations

The City will revise its AI previously accepted by HUD under the following circumstances:

- A material change occurs. A material change is a change in circumstances in the City that affects the information on which the AI is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AI no longer reflect actual circumstances. Examples include, but are not limited to:
 - Presidentially declared disasters, under Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 *et seq.*), in the City that are of such a nature as to significantly impact the steps the City may need to take to affirmatively further fair housing
 - Significant demographic changes
 - New significant contributing factors in the City, and

- Civil rights findings, determinations, settlements (including voluntary compliance agreements), or court orders
- Upon HUD's written notification specifying a material change that requires the revision.

b. Public Display and Comment Period

The draft Revised AI will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the proposed revised plan can be examined, how comments will be accepted and when the document will be considered for action by the City Council. Copies of the draft Revised AI will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

In addition, the City will make available a reasonable number of free copies of the proposed revised document to residents and groups that request it.

c. Comments Received on the Draft Revised Analysis of Impediments to Fair Housing

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at public hearings, in preparing the final Revised AI. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Revised AI.

d. City Council Action

Following the public hearing, the Revised AI will be presented to City Council for consideration and formal action.

Plan Access

The AI will be kept on file at the City's Department of Real Estate and Housing. The plan can be accessed online at www.WilmingtonDE.gov. Hard copies can be made available to those requesting the approved Amended Plan by contacting the Contact Person, or a designee.

E. The Consolidated Plan (CP)

Plan Development

The City will follow the process and procedures described below in the development of its Consolidated Plan (CP).

a. Stakeholder Consultation and Citizen Outreach

In the development of the CP, the City will consult with other public and private agencies including, but not limited to, the following:

- Wilmington Housing Authority
- Other assisted housing providers
- Social service providers including those focusing on services to minorities, families with children, the elderly, persons with disabilities, persons with HIV/AIDS and their families, homeless persons, and other protected classes
- Community-based and regionally based organizations that represent protected class members and organizations that enforce fair housing laws
- Regional government agencies involved in metropolitan-wide planning and transportation responsibilities
- Broadband internet service providers, organizations engaged in narrowing the digital divide
- Agencies whose primary responsibilities include the management of flood prone areas, public land, or water resources
- Emergency management agencies
- Other related organizations and agencies

When preparing the portion of the CP concerning lead-based paint hazards, the City shall consult with local or state health and child welfare agencies and examine existing data related to lead-based paint hazards and poisonings, including health department data on the addresses of housing units in which children have been identified as lead-poisoned.

When preparing the description of priority non-housing community development needs, the City will notify adjacent units of local government, to the extent practicable. This shall involve, at a minimum, the City sending a letter to the chief elected official of each adjacent unit of government notifying them of the draft CP and how to access a copy online for review and comment.

A variety of mechanisms may be utilized to solicit input from these persons/service providers/agencies/entities. These include written letters, telephone or in-person interviews, mail surveys, internet-based feedback and surveys, focus groups, and/or consultation workshops.

b. Public Hearings

The City will conduct at least two public hearings on the development of the CP. The first

public hearing will be conducted before the draft CP is published for public comment, during which time the City will address housing and community development needs, development of proposed activities, the amount of assistance the City expects to receive (including grant funds and program income), the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income residents, and a review of program performance.

The second public hearing will be conducted during or after the 30-day public comment period during which the City will address identified housing and community development needs, proposed eligible activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the Analysis of Impediments to Fair Housing.

c. Potential Displacement of Persons

Although the City does not anticipate any residential displacement to occur in the foreseeable future, it is required to describe its plans to minimize the displacement of persons and to assist any persons displaced. When displacement is unavoidable on a temporary or permanent basis, the City will comply with the federal Uniform Relocation Act. Should displacement of residents be necessary as a result of the use of funds covered by this Plan, the City shall compensate residents who are actually displaced in accordance with *HUD Handbook No. 1378, Tenant Assistance, Relocation and Real Property Acquisition*. This resource is accessible online at

http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/handbooks/cpd/13780 .

d. Public Display and Comment Period

The draft CP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary and purpose of the CP; the anticipated amounts of funding (including program income, if any); proposed activities likely to result in displacement, if any; plans for minimizing the displacement of persons as a result of CDBG activities, if any; plans to assist persons actually displaced by the project, if any; the dates of the public display and comment period; the locations where copies of the draft CP can be examined; how comments will be accepted; when the document will be considered for action by the City Council; and, the anticipated submission date to HUD. Copies of the draft CP will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

In addition, the City will make available a reasonable number of free copies of the draft document to residents and groups that request them in writing.

e. Comments Received on the Draft Consolidated Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day

public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at the public hearings, in preparing the final CP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final CP for submission to HUD.

f. City Council Action

Following the public hearing, the CP will be presented to the City Council for consideration and formal action.

g. Submission to HUD

The CP will be submitted to HUD no less than 45 days before the start of the City's five-year program cycle.

Revisions to the Consolidated Plan

The City shall follow the following procedure to revise its CP, as needed.

a. Revision Considerations

There are two types of amendments that may occur with the CP: minor amendments and substantial amendments. An amendment to the approved CP is considered substantial under the following circumstances:

- An activity or strategy is added to or deleted from the Consolidated Plan
- A change in the purpose, scope, location, or beneficiaries of an activity previously described
- A fifty (50) percent change in federal funding where the project is \$25,000 or less, and/or
- A twenty-five (25) percent change in federal funding where the project is more than \$25,000

All other changes that do not meet the criteria defined above will be considered minor amendments, will be reviewed and approved by the City's Real Estate and Housing Department and will not be subject to public comments. These changes will be fully documented and signed by the Director of the City's Department of Real Estate and Housing.

The City may choose to submit a copy of each amendment to the CP to HUD as it occurs, or at the end of the program year. Letters transmitting copies of amendments will be signed by the Director of the City's Department of Real Estate and Housing.

b. Public Display and Comment Period

The draft Revised CP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the proposed revised CP can be examined, how comments will be accepted, when the document will be considered for action by the City Council, and the anticipated submission date to HUD. Copies of the draft Revised CP will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

In addition, the City will make available a reasonable number of free copies to residents and groups that request them in writing.

c. Comments Received on the Draft Revised Consolidated Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at public hearings, in preparing the final Revised CP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Revised CP for submission to HUD.

d. City Council Action

Following the public hearing, the Revised CP will be presented to the City Council for consideration and formal action.

e. Submission to HUD

The Revised CP will be submitted to HUD upon City Council approval.

In the Event of a Disaster

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City will conduct public hearings and meetings virtually via conference call or live web-streaming with the ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities and non-English speaking persons upon request, such as sign language or language interpretation services. Documents for public review will be shared via the City's website. Copies of the document will may be mailed or e-mailed upon request.

Additionally, where program funds covered by this Plan may be expended to carry out eligible activities to address the City's disaster response, the City's requirements under this Plan will be streamlined to include:

- A 15-day public display and comment period to amend the CP or a period of public as outlined and directed by HUD or the State of Delaware.
- A minimum of one public hearing shall be held to receive comments on the revised CP.
- Following the public hearing, the Revised CP will be presented to the City Council for consideration and formal action.
- The revised CP will be submitted to HUD upon City Council approval.

Plan Access

The Revised CP will be kept on file at the City's Department of Real Estate and Housing. The plan can be accessed online at www.WilmingtonDE.gov. Hard copies can be made available to those requesting the approved Amended Plan by contacting the Contact Person, or a designee.

F. The Annual Action Plan (AAP)

The Annual Action Plan (AAP) is a component of the CP, and it describes the City's proposed use of available federal and other resources to address the priority needs and specific objectives in the CP for each program year; the City's method for distributing funds to local non-profit organizations; and, the geographic areas of the City to which it will direct assistance.

Plan Development

The City will follow the process and procedures described below in the development of its AAP.

a. Public Hearings

The City will conduct at least two public hearings during the development of the AAP. The first public hearing will be conducted before the AAP draft is published for public comment, during which the City will address housing and community development needs, development of proposed activities, the amount of assistance the City expects to receive (including grant funds and program income), the range of activities that may be undertaken, including the estimated amount that will benefit low- and moderate-income residents, and a review of program performance.

The second public hearing will be conducted during or after the 30-day public comment period during which the City will address identified housing and community development needs, proposed eligible activities, and proposed strategies and actions for affirmatively furthering fair housing consistent with the AI.

b. Public Display and Comment Period

The draft AAP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the AAP, the anticipated amounts of funding (including program income, if any), the dates of the public display and comment period, the locations where copies of the draft AAP can be examined, how comments will be accepted, when the document will be considered for action by the City Council and the anticipated submission date to HUD. Copies of the draft AAP will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

In addition, the City will make available a reasonable number of free copies to residents and groups that request them in writing.

c. Comments Received on the Draft Annual Action Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at the public hearings, in preparing the final AAP. A

summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final AAP for submission to HUD.

d. City Council Action

Following the public hearing, the AAP will be presented to the City Council for consideration and formal action.

e. Submission to HUD

The AAP will be submitted to HUD no less than 45 days before the start of the City's annual program year.

Revisions to the Annual Action Plan

The City shall follow the following procedure to revise its AAP, as needed.

a. Revision Considerations

There are two types of amendment that may occur with the AAP: minor amendments and substantial amendments. An amendment to the approved AAP is considered substantial under the following circumstances:

- When an eligible activity is added or deleted
- When a change occurs in the purpose, location, or beneficiaries of an activity previously approved
- When a 50 percent change in federal funding occurs where the project is \$25,000 or less
- When a 25 percent change in federal funding occurs where the project is more than \$25,000

All other changes to funding allocations or approved eligible activities that do not meet the criteria defined above will be considered minor amendments, will be reviewed and approved by the Director of the City's Department of Real Estate and Housing and will not be subject to public comments. These changes will be fully documented and signed by the Director of the City's Department of Real Estate and Housing.

The City may choose to submit a copy of each amendment to the AAP to HUD as it occurs, or at the end of the program year. Letters transmitting copies of amendments will be signed by the Director of the City's Department of Real Estate and Housing.

b. Public Display and Comment Period

The draft Revised AAP will be placed on display for a period of no less than 30 days to encourage public review and comment. The public notice shall include a brief summary of the revisions, the dates of the public display and comment period, the locations where copies of the draft AAP can be examined, how comments will be accepted, when the document will be considered for action by the City Council, and the anticipated submission date to HUD. Copies of the draft Revised AAP will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

In addition, the City will make available a reasonable number of free copies to residents and groups that request them in writing.

c. Comments Received on the Draft Revised Annual Action Plan

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing, or orally at public hearings, in preparing the final Revised AAP. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final Revised AAP for submission to HUD.

d. City Council Action

Following the public hearing, the Revised AAP will be presented to the City Council for consideration and formal action.

e. Submission to HUD

The Revised AAP will be submitted to HUD upon the City Council approval.

In the Event of a Disaster

In the event of a local, state or federally declared disaster or emergency where public places may be closed to the public or in-person participation may not be feasible or large gatherings may be considered a public health risk, the City will conduct public hearings and meetings virtually via conference call or live web-streaming with the ability to ask questions and provide comment in real time. Accommodations will be made for persons with disabilities and non-English speaking persons upon request, such as sign language or language interpretation services. Documents for public review will be shared via the City’s website. Copies of the document will may be mailed or e-mailed upon request.

Additionally, where program funds covered by this Plan may be expended to carry out eligible activities to address the City’s disaster response, the City’s requirements under this Plan will be streamlined to include:

- A 15-day public display and comment period to amend the AAP or a period of public as outlined and directed by HUD or the State of Delaware.
- A minimum of one public hearing shall be held to receive comments on the Revised AAP.
- Following the public hearing, the Revised AAP will be presented to the City Council for consideration and formal action.
- The Revised AAP will be submitted to HUD upon the City Council approval.

Plan Access

The Revised AAP will be kept on file at the City's Department of Real Estate and Housing. The plan can be accessed online at www.WilmingtonDE.gov.

Hard copies can be made available to those requesting the approved Amended Plan by contacting the Contact Person, or a designee.

G. Consolidated Annual Performance and Evaluation Report (CAPER)

Report Development

The City shall follow the following procedure in the drafting and adoption of its Consolidated Annual Performance and Evaluation Report (CAPER).

a. Report Considerations

The City will evaluate and report the accomplishments and expenditures of the previous program year for CDBG, HOME and ESG and draft the CAPER in accordance with HUD requirements.

b. Public Display and Comment Period

The draft CAPER will be placed on display for a period of no less than 15 days to encourage public review and comment. Public notice of the display and comment period will be published in the Tribune Review no less than one day before the period begins with accommodation for persons with disabilities and non-English Spanish speakers in accordance with this Plan. The public notice shall include a brief summary and purpose of the CAPER, a summary of program expenditures, a summary of program performance, the dates of the public display and comment period, the locations where copies of the draft CAPER can be examined, how comments will be accepted, and the anticipated submission date to HUD. Copies of the draft CAPER will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

c. Comments Received on the Draft CAPER

Written comments will be accepted by the City Contact Person, or a designee, during the 15-day public display and comment period. The City will consider any comments or views of City residents received in writing in preparing the final CAPER. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final CAPER for submission to HUD.

d. Submission to HUD

The CAPER will be submitted to HUD within 90 days following the end of the City's program year.

H. Section 108 Loan Guarantee Program

Development of Section 108 Loan Guarantee Application

Applications for assistance filed by the City for Section 108 Loan Guarantee assistance authorized under HUD regulation 24 CFR Part 570, Subpart M, are subject to all provisions set forth within this Plan. Such applications for Section 108 assistance may be included as part of the Consolidated Planning process or may be undertaken separately anytime during the City's program year.

Before the City submits an application for Section 108 loan guarantee assistance, the City will make available to citizens, public agencies and other interested parties' information that includes the amount of assistance the City expects to be made available (including program income), the range of activities that may be undertaken, the estimated amount that will benefit persons of low- and moderate-income, and any activities likely to result in displacement.

Public Display and Comment Period

The City will publish its proposed Section 108 loan application for review and comment. The public notice shall include a summary describing the contents and purpose of the application and listing the locations where the entire application may be examined. An application for Section 108 Loan Guarantee funding shall be made available for public review for a 30-day period prior to consideration and submission to HUD and may be done concurrently with the public review and comment process for the Consolidated Plan.

Copies of the proposed Section 108 loan application will be made available for review at the following locations:

- City Hall - Department of Real Estate and Housing, 800 N. French Street, 7th Floor
- Wilmington Public Library - 10 E. 10th Street
- Wilmington Housing Authority - 400 N. Walnut Street
- City website: www.WilmingtonDE.gov/housing

Comments Received on the Proposed Section 108 Application

Written comments will be accepted by the Contact Person, or a designee, during the 30-day public display and comment period. The City will consider any comments or views of City residents received in writing in preparing the final application. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, will be attached to the final application for submission to HUD.

Submission to HUD

The Section 108 Loan Application will be submitted to HUD.

I. Complaints

Residents may register complaints regarding any aspect of the CDBG, HOME, ESG or HOPWA programs by contacting the Contact Person, or a designee. All written complaints received will be addressed in writing within 15 days.

Residents wishing to object to HUD approval of the final CP may send written objections to the HUD Philadelphia Field Office at U.S. Department of Housing and Urban Development, the Wanamaker Building, 100 Penn Square East, Philadelphia, PA 19107-3380. Objections should be made within 30 days after the City has submitted the CP to HUD. Any objections made will only be submitted to HUD for the following reasons:

- The applicant's description of needs and objectives is plainly inconsistent with available facts and data
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant
- The application does not comply with the requirements of the CDBG, HOME or ESG programs or other applicable laws
- The application proposed activities which are otherwise ineligible under the program regulations.

Objections shall include both an identification of requirements not met and available facts and data.