

**City of Stockton
Economic Development Department**

**Community Participation Plan
(HUD Programs)**



March 2025

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I. Introduction

The City of Stockton Economic Development Department (EDD or Department) develops this Community Participation Plan as part of the requirements to receive federal funds for the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and Emergency Solutions Grant (ESG) programs. The Community Participation Plan defines the public engagement the EDD will lead in developing its five-year Consolidated Plan, each related Annual Action Plan, each Consolidated Annual Performance and Evaluation Report (CAPER), Assessment of Fair Housing, and any Substantial Amendments to the Consolidated Plan or its five Annual Action Plans.

The Consolidated Plan and each year's Action Plan guide the City's use of federal funds which are made available from the U.S. Department of Housing and Urban Development (HUD). The CAPER provides an assessment of funds expended and a quantitative analysis of program or project outcomes.

The EDD is the lead agency within the City of Stockton for development and implementation of the Consolidated Plan and Action Plan. The Community Development Committee (CDC), a seven-member advisory board to the City Council comprised of representatives from each Council district and one from the community at-large, plays a key role in the community participation process. The CDC holds public meetings, collects comments, and provides forums for the discussion of community development and housing needs. Other groups, such as the San Joaquin County Continuum of Care, may also be asked to participate.

This document is designed to meet HUD's basic requirements for community participation in accordance with 24 CFR Part 91.105.

II. Development of Consolidated & Annual Action Plans

The City of Stockton must prepare a Consolidated Plan every five years and an Annual Action Plan annually. The CDC will hold a series of public meetings during the development of these plans that will include identification of community housing and non-housing needs, prioritization of needs, development of strategies to meet the identified needs and budget recommendations to implement those strategies. Community outreach, as outlined in Section V of this Plan, shall be utilized to encourage participation in the development of these Plans. The CDC will hold at least one meeting annually to review program performance, allow community input regarding the City's community development and housing needs, and to provide information regarding priorities and proposed activities to community members.

Local and regional institutions, including the San Joaquin County Continuum of Care, the Housing Authority of the County of San Joaquin, businesses, developers, and nonprofit organizations will also be consulted during the preparation of the Consolidated Plan.

In the years when a Consolidated Plan is prepared, a notification on the availability of the draft Consolidated Plan and Annual Action Plan shall be published in one or more newspapers of general circulation. Prior to the City Council public hearing to consider the documents, draft

copies of the plans will be available for review as outlined in Section V of this Plan. On years when a Consolidated Plan is not required, the above steps shall be followed for the Annual Action Plan. The final plans will be available on the EDD's website.

Prior to adopting the Consolidated Plan, the City will publish information about anticipated funding amounts (including grants and program income), eligible activities, estimated low/moderate-income benefit, and anti-displacement plans including available relocation assistance. This information will be made available on the City website and in print at the Economic Development Department for a 30-day public comment period. The City Council will hold a public hearing before Plan adoption, and all comments received during the comment period or at the hearing will be considered, summarized, and attached to the Plan prior to HUD submission, including any comments not accepted and the reasons therefore.

III. Amendments

Amendments will be necessary whenever any of the criteria under each plan listed below is considered. Substantial amendments to any of the plans will be subject to the public participation requirements of this Community Participation Plan.

Consolidated Plan Amendment Considerations

A substantial amendment to the Consolidated Plan is defined as:

- Changes to the Consolidated Plan allocation priorities.
- An addition or deletion of Consolidated Plan goals.

Annual Action Plan Amendment Considerations

A "substantial amendment" to an Annual Action Plan is defined as:

- Addition of a new project or activity not previously identified in the Annual Action Plan's Sources & Uses as presented to City Council.
- Deletion or cancellation, during the program year, of a project or activity identified in the Annual Action Plan that has NOT been deemed ineligible or NOT determined to be infeasible.
- Changes to the funding distribution method, or the reallocation of funds between eligible project activities included in the approved Annual Action Plan, which exceeds 25 percent (25%) of the City's annual entitlement. Reallocation of funds between eligible project activities below this threshold will be considered an administrative modification not subject to public hearing requirements of this plan; however, City Council approval will be conducted as required by City policy.

Administrative Updates

Changes to the Annual Action Plan that do not meet substantial amendment criteria include:

- Grammatical or structural edits that do not substantially change the scope or meaning of activity; and changes in the coding or eligibility determination of a project that does not change the scope, location, or beneficiaries.
- Proportional adjustments to the HUD covered programs, after City Council approval, to accommodate official HUD allocation amounts.

- Reallocation of fund balance, in any amount, from a completed activity, during the program year, to another approved project or activity. In any case where the reallocation of funds occurs, the reallocation will be reported accordingly in the respective year's CAPER.
- At EDD discretion, other types of changes that do not significantly alter the overall goals, priorities, or allocation of funds may be conducted administratively by the EDD and are not subject to the public hearing requirements of this Community Participation Plan.

Public Notice & Comment

The EDD will provide affected residents with a period of not less than 30 calendar days to make comments on a substantial amendment before it is implemented. Public notice shall include how and where to submit comments on the proposed changes. A summary of these comments, and a summary of comments not accepted and the reasons, therefore, shall be attached to the substantial amendment that is submitted to HUD.

Acceptable methods of meeting the community participation requirements include:

- Publication of the availability of substantial change(s) in a local newspaper. The publication will provide a link to the EDD web page which will provide more detailed information on the substantial amendment(s) and how to provide comments.
- Publication of any proposed change shall appear in a local newspaper whose primary circulation is within the area serving the community of affected residents and include how to provide comments.
- Advertisement of the availability of the proposed change on the EDD website and include how to provide comments.
- Posting notices on the EDD website and social media accounts, including how to provide comments.
- Holding public meetings with the Community Development Committee (CDC) to receive input on the substantial amendment.

Disaster/Emergency Events that may Require Expedited Substantial Amendments

It may be necessary to expedite substantial amendments to the Consolidated Plan in the event of a declared (local, state, or national) disaster or emergency. There are three types of disasters/emergency events that may necessitate an expedited substantial amendment including:

1. Man-Made-disasters: examples include chemical spills, power outages, dam failure, plant explosions, etc.
2. Natural disasters: examples include earthquakes, wildfires, flooding, and public health emergencies (such as COVID-19)
3. Terrorism: examples include bomb threats, biochemical attacks like the spread of anthrax, or cyber-attacks like hacking, phishing, and virus distribution, etc.

These expedited substantial amendments may include funding new activities and/or the reprogramming of funds including canceling Annual Action Plan planned activities to meet needs resulting from a declared disaster or emergency. Therefore, the EDD may utilize CDBG, HOME, or ESG funds to meet these needs with a five (5) day public comment period instead of a 30-day public comment period, which is otherwise required for substantial amendments.

With respect to a declared disaster, the EDD may elect to use CDBG, HOME, or ESG funds to address needs not provided for by the Federal Emergency Management Agency (FEMA) and the 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, or any other CDBG, HOME, or ESG eligible use. HUD may provide new guidance on eligible uses or waivers for alternate protocols which the EDD will comply with and may utilize as well.

Submission of Amendments and Administrative Updates to HUD

The EDD will submit Substantial Amendments to HUD on a rolling basis or at the end of the program year. Administrative Updates are not formally noticed to the public, nor submitted to HUD. However, documentation describing general changes and/or identifying specific changes will be included in the annual Consolidated Annual Performance and Evaluation Report (CAPER), which is made available to the public.

IV. Consolidated Annual Performance & Evaluation Report

The Consolidated Annual Performance and Evaluation Report (CAPER) identifies the final budget expenditure and performance results for each Annual Action Plan activity from the currently completed program year and any outstanding activities from prior program years.

The CAPER shall be submitted to HUD within 90 days from the close of the City's CDBG/HOME program year. The City's program year corresponds to the City's fiscal year which runs from July 1 to June 30 of each year. The CAPER shall be submitted to HUD by September 28.

Prior to submission to HUD there shall be a **15-day public review/comment period**. During this time, the CDC shall review the document. The CDC will hold a public meeting to review the CAPER as outlined in Section V of this Plan. Any public comments received during the comment period shall be considered and shall be summarized and attached to the CAPER prior to submission to HUD.

V. Affirmatively Furthering Fair Housing & the Assessment of Fair Housing

Effective July 31, 2021, HUD's 2021 Interim Final Rule (IFR), "[Restoring Affirmatively Furthering Fair Housing Definitions and Certifications](#)," requires program participants to submit certifications that they will affirmatively further fair housing in connection with their consolidated plan, annual action plans, and public housing agencies (PHA) plans. Program participants who are covered by the statutory Affirmatively Furthering Fair Housing (AFFH) rule include jurisdictions that are required to submit a Consolidated Plan in connection with the receipt of CDBG, HOME, or ESG funding.

In the state of California, jurisdictions are also required to complete a Housing Element with an Assessment of Fair Housing (AFH), which meets current federal fair housing analysis requirements thereby complying with the AFFH mandate. The EDD will participate in the City's

Housing Element process and incorporate the AFH findings, goals, and strategies into its Consolidated and Annual Action Plans. The EDD will also integrate fair housing topics, findings, and actions into its public engagement and consultation for the Plans.

VI. Outreach

Community Development Committee

The Community Development Committee (CDC) is an advisory board to the City Council comprised of representatives from each Council district and one from the community at-large. The Council may augment its membership from time to time to assure and increase the broadness of total community representation. All nominees shall be residents of the City of Stockton.

Technical assistance from City staff shall be available to the CDC so that its members may adequately participate in planning, implementing, and assessing programs. Technical assistance will also be available to other community organizations, particularly those that represent persons of low and moderate income, in developing proposals or organizing neighborhood groups.

Federal regulations place the ultimate responsibility for the development of the Consolidated Plan and Annual Action Plan and the execution of the programs and activities on the grantee; hence the CDC constitutes the formal, advisory community participation body to the City Council.

The functions of the CDC shall be as follows:

1. Provide a forum for the community, particularly those likely to be affected by community and housing activities, in areas where residents are of low and moderate income (*defined below*).
 - a. Lower income: households with 50% to 80% of Area Median Income (AMI); the term may also be used to mean 0% to 80% of AMI
 - b. Moderate income: households with 80% to 120% of AMI
2. Disseminates program information including, but not limited to, the following:
 - a. Amount of funds available annually under each program
 - b. Range of eligible activities
 - c. The identification of various community development and housing programs that become available
 - d. The processes involved in developing the application and the schedule of meetings and hearings
 - e. The role of community in the program
 - f. Any other important program requirements
3. The CDC shall be involved in development of the Consolidated Plan including the annual applications for the Community Development Block Grant Program, the HOME Investment Partnerships Program, the Emergency Solutions Grant Program, and similar

housing programs or plans including subsequent amendments or basic changes to any of the above.

CDC appointment terms shall be staggered to follow the term of the appointing Council member. Upon re-election, Council members may elect to appoint a new CDC member.

Public Meetings & Hearings

The City will hold at least two public hearings annually that together address: housing and community development needs, development of proposed activities, proposed strategies for affirmatively furthering fair housing, and review of program performance. At least one hearing will be held before the CDC to obtain community input, and one before the City Council to present recommendations and consider approval.

Notice of all public hearings shall be published in a paper of general circulation not less than ten days prior to the date of the hearing. The notice shall include the time, day and date of the hearing, its location, a general statement regarding its purpose and any other more specific information required by the Consolidated Plan, Annual Action Plan, amendments, or CAPER.

During the program year, public meetings and hearings related to the Consolidated and Annual Action Plans will be held at times and locations convenient to potential or actual beneficiaries and with accessibility to the handicapped. Proper notice shall be given, which includes posting the agenda a minimum of 72 hours prior to the meeting. Minutes shall be taken of all public hearings that meet quorum and shall be available for public review online at www.stocktonca.gov and at the Office of the City Clerk during regular working hours.

CDC meetings shall be scheduled and convened at least quarterly. Meetings and hearings may be convened by City staff or by the City Council as appropriate and in conformance with federal regulations to accomplish the following:

1. To obtain the views of communities, public agencies, and other interested parties, to comment on the extent to which funds are used for the benefit of lower income households, and what provisions should be taken by the City to minimize displacement of households by assisted activities.
2. To afford affected communities an opportunity to comment on proposed applications for federal assistance, plans, and substantial amendments as may be required by federal regulations, including, but not limited to, the Consolidated Plan and Annual Action Plan.
3. To afford communities an opportunity to review the programs' progress and performance as described in program reports prepared from time to time pursuant to federal regulations.

Language Access Plan for Limited English Proficient Persons

The City of Stockton has a diverse population where many languages are spoken. To the extent required by the City's Language Access Plan (LAP), the EDD will make every effort to ensure

that Limited English Proficient (LEP) persons (those that meet LAP required thresholds) have meaningful access to federally funded programs and services.

Regardless of which language a person speaks or their ability to speak English, the EDD will make every effort to ensure that LEP persons have meaningful access to federal funding services and documents through either oral translators or written interpretation of vital documents, upon request.

Language Access Plan

The EDD has conducted the four-factor analysis and developed its own Language Access Plan (LAP) to ensure that LEP persons (that meet the federally required threshold) have meaningful access to federally funded programs and services.

The four-factor analysis is as follows:

- **Factor 1:** Determine the number or proportion of LEP persons served or encountered in the eligible service area.
- **Factor 2:** Determine the frequency with which LEP persons encounter the CDBG, HOME, and/or ESG funded programs.
- **Factor 3:** Determine the importance of the information, services, program, or activity to people's lives.
- **Factor 4:** Assess costs versus resources and benefits in providing language services.

Accessibility & Special Accommodations

In accordance with the Americans With Disabilities Act and California Law, it is the policy of the City of Stockton to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. Copies of a public hearing notice, or an agenda and/or agenda packet in an appropriate alternative format, or other accommodation, may be obtained by contacting the Office of the City Clerk located at 425 North El Dorado Street, Stockton, California 95202 during normal business hours or by calling (209) 937-8458, at least 5 days in advance of the hearing/meeting. Advance notification within this guideline will enable the City/Agency to make reasonable arrangements to ensure accessibility.

For items expecting to affect a specific neighborhood or population, additional accommodations, including providing notices in various languages or providing interpreters at neighborhood meetings, will be considered.

Information & Records Availability

The Consolidated Plan (as proposed, adopted or amended), Annual Action Plan, CAPER, and this Community Participation Plan shall be available in print format for public review during regular working hours at the following location:

Economic Development Department
400 East Main Street 4th Floor
Stockton, CA 95202
(209) 937-8539

These documents are also available online at <https://www.stocktonca.gov/housing> under the Housing Division.

Consistent with applicable state and local laws regarding personal privacy and obligations of confidentiality, other documents may be made available at the same time and place including mailings, promotional material, records of hearings, copies of the regulations, contracting procedures, environmental policies, fair housing and equal opportunity requirements and relocation provisions. This information shall be provided in a format accessible to persons with disabilities, upon adequate notice.

Requests for additional information may be made to the EDD at the address and phone listed above. A response shall be provided within fifteen (15) working days of receipt of the request, where practicable.

Summary materials regarding the Consolidated Plan, Annual Action Plan, amendments and CAPER shall be available without charge. Free copies of the Consolidated Plan and Action Plan will also be made available. One free copy will be provided to each individual or organization requesting said copy until the supply is exhausted. Photocopier charges and miscellaneous charges for other related services and materials shall be assessed in accordance with the City's fee schedule.

Technical Assistance

Technical assistance will be provided to groups representing people of low and moderate income that request such assistance in developing proposals for funding under any of the activities covered by the Consolidated Plan and Action Plan. The level and type of assistance provided shall be on a case-by-case basis as determined by the EDD Director or their designee.

VII. Anti-Displacement & Relocation

Anti-Displacement Policy

The City seeks to minimize, to the greatest extent possible, the involuntary displacement, whether permanently or temporarily, of persons (families, individuals, businesses, nonprofit organizations, or farms) from CDBG, ESG, or HOME funded activities.

Projects that the City deems beneficial but that may cause displacement may be recommended and approved for funding only if the City demonstrates that such displacement is necessary and vital to the project and that they take efforts to reduce the number of persons displaced. Further, it must be clearly demonstrated that the goals and anticipated accomplishments of a project outweigh the adverse effects of displacement imposed on persons who must relocate.

This section describes the City's Anti-displacement and Relocation Plan and how it will assist persons who will be temporarily relocated or permanently displaced due to the use of HUD funds. This plan takes effect whenever the City sponsors projects using CDBG, ESG, or HOME funds that involve the following:

- Property acquisition; or
- The demolition or rehabilitation/conversion of low- and moderate-income dwelling units.

Two acts place obligations on the City if any of the above issues are present:

1. The Uniform Relocation Assistance and Real Property Policies Act of 1970 (URA); and
2. Section 104(d) of the Housing and Community Development Act of 1974.

What is Displacement?

Displacement occurs when a person moves as a direct result of a federally assisted acquisition, demolition, conversion, or rehabilitation activities because they are:

- Required to move;
- Not offered a decent, safe, sanitary, and affordable unit in the project; or
- Treated “unreasonably” as part of a permanent or temporary move.

What is a Displaced Person?

The term displaced person means any person that moves from real property or moves their personal property from real property permanently as a direct result of one or more of the following activities:

- Acquisition of, or written notice of intent to acquire, or the initiation of negotiations to acquire, such real property, in whole or in part, for a project.
- Rehabilitation or demolition of such real property for a project.
- Rehabilitation, demolition, or acquisition (or written notice of intent) of all or a part of other real property on which the person conducts a business or farm operation, for a project.

A person may also be considered displaced if the necessary notices are not given or provided in a timely manner and the person moves for any reason.

Persons Not Eligible for Assistance

A person is not eligible for relocation assistance under the provisions of the URA if any of the following occurs:

- The person was evicted for serious or repeated violation of the terms and conditions of the lease or occupancy agreement, violation of applicable Federal, State, or local law, or other good cause. However, if the person was evicted only to avoid the application of URA, then that person is considered displaced and is eligible for assistance.
- The person has no legal right to occupy the property under State or local law.
- The City determines that the person occupied the property to obtain relocation assistance and the HUD Field Office concurs in that determination.
- The person is a tenant-occupant that moved into the property after a certain date, specified in the applicable program regulation, and, before leasing and occupying the property, the City provided the tenant-occupant written notice of the application for assistance, the project's impact on the person, and the fact that he or she would not qualify as a “displaced person” because of the project.
- The person is a tenant-occupant of a substandard dwelling that is acquired or a tenant-occupant of a dwelling unit to which emergency repairs are undertaken, and the HUD field office concurs that:
 - Such repairs or acquisition will benefit the tenant;
 - Bringing the unit up to a safe, decent, and sanitary condition is not feasible;

- The tenant's new rent and average estimated monthly utility costs will not exceed the greater of: the old rent/utility costs or 30 percent of gross household income; and
- The project will not impose any unreasonable change in the character or use of the property.
- The person is an owner-occupant of the property who moves because of an arm's length acquisition;
- The City notifies the person that they will not displace him or her for the project;
- The person retains the right of use and occupancy of the real property following the acquisition; or
- The City determines that the person is not displaced as a direct result of the acquisition, rehabilitation, or demolition for the project and the HUD field office concurs in the determination.

Minimizing Displacement

The City will take reasonable steps to minimize displacement occurring as a result of its CDBG, ESG, and HOME activities. This means that the City will:

- Consider if displacement will occur as part of funding decisions and project feasibility determinations;
- Assure, whenever possible that occupants of buildings to be rehabilitated are offered an opportunity to return;
- Plan substantial rehabilitation projects in "stages" to minimize displacement; and
- Meet all HUD notification requirements so that affected persons do not move because they have not been informed

Displacement and Relocation Assistance

If the City temporarily displaces a household or business, that household or business becomes eligible for certain relocation payments. The assistance applies to those persons or business occupying the property at the time the application is processed and is based on the following procedures:

- If the structure and its occupants are determined eligible for temporary relocation assistance, the owner-occupants and/or tenants are eligible for the actual reasonable cost (based on fair market rent) of temporary lodging facilities until the structure is determined habitable by a housing or building inspector authorized by the City to make the determination;
- The City must approve housing and the Lessor and Lessee must sign a rent agreement before move-in. Housing must be comparable functionally to the displacement dwelling and decent, safe, and sanitary. This does not mean that the housing must be in comparable size. The term "functionally equivalent" means that it performs the same function, has the same principal features present, and can contribute to a comparable style of living. Approved lodging accommodations include apartments and houses. The City does not reimburse "rental expenses" for living with a friend or family member;
- The City may facilitate moving and storage of furniture with a moving company;
- Damage deposits, utility hookups, telephone hookups and insurance costs are not eligible for reimbursement; and
- The City may pay the cost of relocation assistance from available Federal funds

Change in Use of Real Property

The standards described in this section apply to real property within the administering agency's control, which is acquired or improved in whole or in part using more than \$25,000 in CDBG funds (24 CFR §570.505). These standards shall apply from the date CDBG funds are spent for the property until five years after closeout of the grant from which the assistance to the property was provided.

A recipient cannot change the use or planned use of any property (including beneficiaries of such use) from that for which the acquisition or improvement was made unless the recipient provides affected residents with an opportunity to comment on, any change, and either:

1. The new use of such property qualifies as meeting one of the national objectives and is not a building for the general conduct of government; or
2. The recipient determines, after consultation with affected residents, that it is appropriate to change the property's use to another use which does not meet a national objective and reimburses the CDBG program in the amount of the current fair market value of the property, less any portion of the value attributable to expenditures of non-CDBG funds for the acquisition of and improvements to the property.

Community members will be informed of changes in the use or planned use of the property by means of a notice, which will be published in a newspaper of general circulation that serves the community of affected residents. The notice will provide a description of the proposed change in use or planned use of the property and will also advise how and where to submit comments. The public will have an opportunity to comment on the proposed change in use or planned use of the property for a period of no less than 15 days.¹

VIII. Complaints

The City will answer complaints in a timely and responsive manner. The City will make every reasonable effort to provide written responses to complaints within 15 working days, where practicable. Complaints received will be handled at the lowest possible staff level affected directly and then will be referred through the normal chain of command: supervisor, division head, department director, City Manager's office. Ultimately, the community member may address a complaint directly to the City Council if they feel their grievance has not been resolved.

¹ Further details on changes in use requirements are set forth in the CDBG regulations at [24 CFR § 570.505](#).