Citizen Participation Plan

NOTE: The activity highlighted in yellow has been stricken from the Plan, effective October 13, 2016.

The Consolidated Plan regulations, Section 91.105, state that a citizen participation plan is required to be adopted by the City unless a plan that complies with section 104(a)(3) of the Housing and Community Development Act of 1974 has previously been adopted. New York City has had such a complying plan in effect for many years as an integral part of its budget process. This process, specified in the City Charter provides for citizen participation, as described below, on all programs, projects and services funded by the city's expense, capital and Community Development Block Grant budgets. Since the existing citizen participation plan complies with section 104(a)(3), adoption of a new plan is unnecessary; the following sections describe the existing citizen participation plan and process including a schedule of proposed activities.

The City of New York uses the calendar year January 1 to December 31 for the Consolidated Plan Program Year. The City's budget process outlined below follows the City's Fiscal Year which is July 1 to June 30. Please note that because the city fiscal year overlaps the Consolidated Plan Program year by six months, (the first six months of the Consolidated Plan year is the last six months of the City Fiscal Year) the programs and budgets identified in the Consolidated Plan were actually adopted by the City Council in June. Thus, the Consolidated Plan programs and budgets will be subject to an amendment if needed. A substantial amendment will be presented to the public with a 30 day review period when and if programs are added, deleted or adjusted in their allocations as described in the Substantial Amendment section below. The substantial amendment is submitted to HUD after the public review period.

The Consolidated Plan/One-Year Action Plan, is the City's application for the four HUD Office of Community Planning and Development Entitlement Programs (Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Solutions Grant (ESG), and HOPWA. The allocation of these funds will be for housing, homeless, supportive housing and community development programs and are determined in the City's Budget Process. The Consolidated Plan focuses on the money expected to be received from HUD and the matching funds that the City uses primarily from City tax levy; however, funds from the State, the private sector, and nonprofit organizations are also described.

The Department of City Planning places the Consolidated Plan/One-Year Action Plan in its entirety on the Department's web site at:

http://www.nyc.gov/planning

The City's budget is required to be adopted on or before July 1 every year. Citizens are encouraged to get involved in this decision-making process. The City's budget process which is voted on by the City Council and as outlined below is subject to extensive public review and participation. The City has an established citizen participation process that is divided into three phases: 1. needs assessment and budget preparation (May to November); 2. preliminary budget (November to April); and 3. executive and adopted budget (April to July). The Budget Process solicits citizens comments at several stages before the final budget is adopted.

Citizen participation in developing the budget is mandated by the City Charter. Through months of consultations with the 59 community boards, expense and capital budgets for operating agencies are established. Additionally, public hearings may be held by the individual agencies to assist in the development and enhancement of their respective programs and operations. This provides the agencies with a significant understanding of community priorities for capital project and service delivery improvements.

This schedule emphasizes the participation of the community boards at the local level because, by mandate of the City Charter, these boards are charged with monitoring city service delivery, proposing budget priorities and reviewing development and land use proposals at the community level. The 59 local community boards are the primary mechanism for citizen participation in the budget process in New York City. Others wanting input into
the city's budgetary decisions find it appropriate and useful to obtain a community board's endorsement of their proposals. Each board is composed of up to 50 people who live or work in the community district. All members of the community board are unsalaried volunteers appointed by the Borough President. Half of the members are appointed from a list submitted to the Borough President by members of the City Council who represent the district. The other half are selected directly by the Borough President. Each board is allocated a city-funded budget to rent office space, dispense information and hire a District Manager and staff to carry out its objectives. Boards have a number of standing committees, such as health and hospitals, housing and zoning, budgeting, parks and recreation, and transportation. Many boards actively encourage non-board members to become committee members. In some boroughs, such "public" members have the right to vote. Community boards have existed in some parts of the city since the early 1960's. The Charter was amended in 1975 and 1989 to further institutionalize and broaden their advisory powers.

In April during the preliminary budget phase, the Consolidated Plan committee holds a Public Hearing to hear comments on how the housing, homeless, supportive housing and community development funds should be spent. The Public Hearing is to collect comments on the preliminary budget and the formulation of the Consolidated Plan/One-Year Action Plan. A brief question and answer session regarding the formulation of the Proposed Plan follows the Public Hearing. The comments received are summarized, and if appropriate, incorporated in the Plan. By October, the Consolidated Planning Committee consolidates the information and releases a Proposed Consolidated Plan/One-Year Action Plan for public review.

In early November, the Committee holds a public hearing to hear the public’s comments on the Proposed Plan/One-Year Action Plan, which is followed by a question and answer session with City agency representatives in attendance. The public’s comments are incorporated into the submission version of the Plan. The City submits the Consolidated Plan/One-Year Action Plan to HUD each year on November 15 in order to receive the federal funds on the first day of the Consolidated Plan Program Year, January 1st.

Opportunities for individuals, community boards, and other organizations to participate in planning and budgeting occur at many points in the following budget process schedule:

**Phase 1: Needs Assessment/Budget Preparation**

May/June  Community Boards assess community needs to prepare District Needs Statement.

Mid-June  District Needs Statements are submitted to the Department of City Planning.

June/July  District consultations are held between agency local service chiefs and community boards.

Early July  Reservations for borough consultations are submitted by all community boards to the Office of Management and Budget's Office of Community Board Relations (OCBR).

Mid-July  Agendas for borough consultations are submitted by all community boards to OCBR.

By August 15  Agency policy statements are submitted to OCBR.

August  Budget request forms and instructions sent to community boards.

August  Budget consultation materials are sent to community boards and agencies.

September to early Oct.  Borough consultations are held between community boards and agencies.
September to October

Public hearings are held by community boards in their communities on budget requests and district needs.

Early October to early Nov.

Public comment period for the Proposed Consolidated Plan/One-Year Action Plan. To receive comments on the use of funds for housing, homeless, supportive housing and community development activities for the Proposed Consolidated Plan/One-Year Action Plan.

November 1

Final budget requests with priorities are submitted to OMB (at least 30 days before departmental estimates due date).

Phase 2: Preliminary Budget

Early November

Second Public Hearing on the Proposed Consolidated Plan/One-Year Action Plan to receive comments on the HUD submission.

Early November

Budget requests are sent to agencies by OMB for evaluation as part of the departmental estimates.

By Nov. 15

Consolidated Plan/One-Year Action Plan scheduled to be submitted to HUD.

By Nov. 15

Citywide Statement of Facility Needs: community boards and Borough Presidents may comment within 90 days.

Mid December:

Budget requests are returned by the agencies to OMB with response.

January 1

Consolidated Plan Program Year begins.

January 16

Mayor's Financial Plan and Preliminary Budget, which includes the agency departmental estimates, is released.

January 16

Register of Community Board Budget Requests for the upcoming city fiscal year is sent to the community boards. This includes agency funding recommendations for community board requests.

February

Agency heads write to boards to explain negative response to budget requests.

By Feb. 15

Public hearings are held by the community boards on the preliminary budget.

By Feb. 15

Statement on the Preliminary Budget is sent by the community boards to the Mayor, OMB, City Council, Borough Presidents, and Borough Boards.

By Feb. 25

Borough Board public hearing is held on the Preliminary Budget and Statement of Borough Priorities is submitted prior to Borough President executive budget submission.

By March 10

Borough Presidents Capital and Expense Budget allocations are submitted (5 percent share) to the Mayor and City Council for inclusion in the executive budget. Borough Presidents recommend changes to the Preliminary Budget.

Mid-March to late March

Public comment period for Proposed Consolidated Plan Annual Performance Report (APR). To receive comments on the City's use of federal funds for housing, homeless, supportive housing and community development activities for the previous Consolidated Plan Year.
By March 25 Public hearings on the preliminary budget are held by the City Council.

By March 31 Consolidated Plan Annual Performance Report is scheduled to be submitted to HUD.

Mid-April First Proposed Consolidated Plan/One-Year Action Plan Public Hearing held to receive public comments on the formulation of the next year’s Action Plan and the past year’s use of funds for housing, homeless, supportive housing and community development activities funded by entitlement programs: CDBG, ESG, HOME, and HOPWA.

Phase 3: Executive/Adopted Budget

April 26 Executive budget is released by the Mayor.

April 26 Register of community board budget requests are sent to the boards which includes OMB funding recommendations.

May 3 Borough Presidents Modify Executive Budget Borough Allocations (5 percent share), when necessary.

By May 6 Borough Presidents Modify Executive Budget Recommendations, when necessary.

By May 25 Public hearings on the Executive Budget are held by the City Council.

May-June Mayor writes to boards to explain negative responses to budget requests.

June 5 City Fiscal Year/CD City Fiscal Year Budgets are adopted by the City Council.

By June 6 The Budget is certified by the Mayor, Comptroller and the City Clerk.

July 1 City Fiscal Year begins.

July The Mayor updates the Financial Plan - 30 days after adoption.

August Borough Presidents may propose a reallocation of personnel and resources.

Citizens have an opportunity to participate in the above process in several ways: participate locally with the community board and organizations represented on community board committees; attend and testify at local hearings held by community boards and those held by the City Council. Hearings held in the fall facilitate the community boards developing their Statement of Community District Needs and Priorities and their Capital and Expense/CD Budget project/program requests. In February, citizens have an opportunity to testify at a community board public hearing on the Preliminary Budget in relation to community needs. Public hearings are held by the City Council in May on the Executive Budget and the Proposed Community Development Budget. In addition, the Consolidated Plan Committee will hold public hearings on the Consolidated Plan/One-Year Action Plan (both before and after the publication of the proposed plan). Notice of public hearings is made by means of mailed notices, newspaper notices and/or notice in the City Record. Information pertaining to programs and projects subject to public hearings is made available at the offices of the Department of City Planning, OMB and other agencies.

The citizen participation plan regulations specify required elements in eight areas. The required elements are incorporated in the schedule shown above. They are restated here by category to respond specifically to the regulatory language:
(1) Encouragement of citizen participation. The advance notice of public hearings, the provision of technical assistance and information to community boards and others, the schedule of multiple public hearings, and the availability of line agency staff to discuss proposals at community board meetings are part of the existing City's budget process and are all designed to encourage widespread citizen participation in the development of the Consolidated Plan, any amendments to the plan, and the performance report.

(2) Information to be provided includes budget consultation materials, budget request forms and instructions sent to community boards, consultations between agency local service chiefs and community boards, agency policy statement and other materials made available during the budget process described above. Such information includes proposed budgets for programs and projects that would benefit persons of very low- and low-income and plans to minimize displacement of persons and to assist any persons displaced. The city plans to publish the proposed Consolidated Plan/One-Year Action Plan in early October and to hold at least one public hearing, in accordance with the schedule noted above. The plan is scheduled to be submitted to HUD by November 15. Copies of the Consolidated Plan/One-Year Action Plan will be made available at all offices of the Department of City Planning. Copies of the Proposed Consolidated Plan/Action Plan will be mailed to both the Chairperson and District Manager of each of the City's 59 Community Boards. The City will provide at least 30 days to receive comments from citizens on the plan before it is submitted to HUD.

(3) Access to records. The city provides widespread access to records through the consultations, meetings and other communications during the budget process described above. Reasonable and timely access to information and records relating to the Consolidated Plan and its use of assistance for component programs during the previous five years will be assured as it has been during the Community Development Budget process. In addition, copies of the Consolidated Plan will be made available in alternative formats to the public in buildings accessible to persons with a disability.

(4) Technical assistance to groups representative of persons of very-low and low-income has been provided for many years in the budget formation process described above. Technical assistance is provided to all community boards by the Department of City Planning and OMB regularly, and by other agencies as needed. Community boards receive technical assistance during their committee meetings, board meetings, consultation with line agencies, etc., on identifying and promoting programs, projects and service improvements that will benefit their constituent population and economic conditions.

(5) Public hearings on the Consolidated Plan/One-Year Action Plan are required on at least two occasions during the year. The hearings will focus on housing, homeless, supportive services, and community development needs, development of proposed activities, and review of program performance. The Department of City Planning holds a public hearing in April and schedules an additional public hearing on the plan in November. The first hearing is held as required for comment before the proposed Consolidated Plan/One-Year Action Plan is published. Notice of the hearings will include locations to obtain copies and data about the plan elements so that informed comments are facilitated. The hearings will be held at times and locations that are convenient to the population and will provide accommodation for persons with a disability, including a sign language interpreter. The plan will identify how the needs of non-English speaking residents will be met where public hearings can be reasonably expected to be attended by a significant number of non-English speaking residents.

(6) Performance Reports. Performance Reports describing the locality’s progress in the use of its federal entitlement funds to address its Consolidated Plan Strategic Plan objectives are required to be submitted annually to HUD no later than ninety (90) days after the end of a Consolidated Plan Program Year. The city plans to publish the proposed Annual Performance Report for public comment in mid-March in accordance with the schedule noted above. The Report is scheduled to be submitted to HUD by March 31. Copies of the Consolidated Plan Annual Performance Report will be made available at all offices of the Department of City Planning. The City will provide at least 15 days to receive comments from citizens on the Report before it is submitted to HUD.

(7) Reasonable Notice. The city will provide reasonable notice of Consolidated Plan-related public comment periods, and/or related public hearings. The public will be notified through public notices posted in three
newspapers with city-wide circulation, an English-language, a Spanish-language and a Chinese-language. In addition, notices will be mailed to the Consolidated Plan mailing list comprised of concerned citizens, public officials and organizations. An announcement informing the public of the upcoming activity is placed on the Department of City Planning’s internet website. Lastly, a notice is placed as a public service message on the New York City-operated local cable television access channel. The notices included news about the availability of information and data contained in the respective document to better facilitate informed comments. Individuals and/or organizations who wish to be placed on the Consolidated Plan mailing list may contact the New York City Consolidated Plan Coordinator, Department of City Planning, 120 Broadway, 31st Floor, New York, New York, 10271, or by telephone (212) 720-3337, or email Con-PlanNYC@planning.nyc.gov.

(8) Comments and complaints. The Consolidated Plan will include consideration of any comments or views received in writing, or orally at the public hearings, in preparing the final Consolidated Plan/One-Year Action Plan, or the Annual Performance Report. Attached to the respective reports will be a summary of the comments or views, including comments or views not accepted and the reasons for non-acceptance. The City budget process calls for agency heads currently to notify community boards in writing of the reasons for non-acceptance of their recommended programs or projects. The HUD requirement that a substantive written response to every written citizen complaint be made within an established period of time (within 15 days where practicable) will be met within the existing structure.

Substantial Amendments to the Consolidated Plan/Annual Action Plan
Following are the criteria for what constitutes a substantial amendment to the Consolidated Plan in New York City:

* if a site or area changes from one borough to another;
* if the city deletes an activity or adds one to the Consolidated Plan; and
* if a change results in a reduction greater than fifty percent (50%) of total activity category funding.

According to federal guidelines, a substantial amendment is also required by a locality if the amount actually received for a specific entitlement grant (CDBG, HOME, ESG and/or HOPWA) is fifteen percent (15%) greater or less than the locality’s requested entitlement grant’s amount (as outlined its Proposed Consolidated Plan/One-Year Action Plan).

The public is allowed 30 days to review and comment on the substantial amendment before it is submitted to HUD. Public notices concerning substantial amendments are posted throughout the year. An updated Consolidated Plan/One-Year Action Plan with both substantial and minor amendments is submitted to HUD during the month of September.

Not-for-Profit Participation in the City's Consolidated Planning Process
In addition to the citizen participation outreach activities conducted in relation to the formulation and publication of the Proposed Consolidated Plan/Action Plan, the Consolidated Plan Committee member agencies individually conduct citizen participation outreach activities relating to their own agency's area of expertise.