

Commission Meeting Date: November 27, 2012

Date: November 19, 2012

To: Honorable Mayor and City Commission

From: Community and Neighborhood Services Department ^{cd}

Re: To Impose a 10 Year Limit on Applying for Priority Housing Repairs and Approve Clerical Changes to Citizen Participation Plan

SUMMARY OF REQUEST: To authorize Community and Neighborhood Services to impose a 10 year limit on applying for a Priority Housing Repair project and Vinyl Siding being a one-time activity. In addition, approve the clerical changes to the Citizen Participation Plan per CDC approval.

FINANCIAL IMPACT: This will stretch our CDBG Funding for the Priority Housing Repair program to include families with housing needs.

BUDGET ACTION REQUIRED: None at this time.

STAFF RECOMMENDATION: To approve request.

COMMITTEE RECOMMENDATION: The proposal has already been approved by the Citizen's District Council at their November 8, 2012 meeting.

City of Muskegon Citizen Participation Plan Amended 11-08-2012

The City of Muskegon understands the importance of having citizen involvement during and after the planning and implementation of its Community Development activities.

As a representative of the community the citizenry bring hands on knowledge of the concerns and needs of the community and its citizens that staff may not be aware of or not realize the importance of.

The City of Muskegon fully understands that there is a strong correlation between a successful CDBG/HOME program and the degree of citizen input in the planning and allocation process

Citizen Participation Plan Objectives

The City of Muskegon encourages participation of its citizens, especially those residents who are extremely low, very low, low and moderate income. Citizens are also encouraged to participate who reside in high minority concentrated neighborhoods, who are non-English speaking or speak limited English. Residents are also encouraged to participate that are involved in the housing area whether it be as a realtor, builder, housing advocate, nonprofit or for profit developers or residents of Public Housing and or other types of assisted housing residents. All residents involved in the public service area are also encouraged to participate.

- A. The City will provide citizens with reasonable and timely access to all of its committee meeting.
- B. The City will offer technical assistance from the City's CNS Department to residents and eligible nonprofit in developing proposals, conducting research, etc.
- C. The City's CNS department will respond to all formal complaints submitted to the CNS department in writing within 15 days of receipt with a written response.
- D. If and when notified the City will supply assistance to residents with mobility problems, hearing and visual impediments that wish to participate in the City meetings concerning its CDBG/HOME activities and process and or any other related meeting.
- E. The City will consult with local Public Housing authorities when developing any studies related to housing development, neighborhood revitalization (i.e. Consolidated Plan, Action Plan, CAPER, etc.) in order so that the local Public Housing Authority can submit any related information to be included in the plan and make the information available to their tenants and or board members.

Citizen's District Council

The City of Muskegon Community Development Block Grant Citizen's District Council is composed of nine (9) Citizens: four (4) representing each of the four wards, three (3) from at large; two (2) Citizens representing the targeted area (all voting members); plus one member from the City commission and one member of City staff (both non-voting).

All members are appointed by the City Commission and their terms are for three (3) years.

The purpose of the Citizen's District Council (CDC) is to act as an advisory board to the City Commission on all matters dealing with the U.S. Department of Housing and Urban Development programs concerning the City of Muskegon and its citizenry.

All CDC meetings are open to the public and are subject to the Michigan Open Meeting Act, Public Act 276 of 1976 as amended (MCL Section 15.261 et seq.)

Scope of Participation

- The Citizen District Council will be involved in an advisory capacity in reviewing the proposed annual Consolidated Plan, any amendments to the existing CDBG/HOME program, and the Annual Consolidated Plan Performance Reports, prior to the scheduled Public Hearing.
- The Citizen's District Council (CDC) will be briefed on the status and performance of the programs during its regular meetings, in order that members may provide meaningful input to assess the effectiveness of the program activities in addressing the 1990 National Affordable Housing Act (NAHA) and the CDBG National objectives. CDC minutes will be included in the annual Consolidated Plan Performance Report.

- **Access for Information and Records**

As part of the City of Muskegon Consolidated Planning Process, the City will make available to citizens, public agencies, non-profits and other interested parties the following information.

- The total amount of funding the City anticipates receiving from the U.S. Department of Housing and Urban Development each fiscal year.
- The type of activities that will be undertaken with that particular fiscal year's funding.
- The estimated amount of funding which will be committed to activities benefiting low and moderate-income residence.

Amendments and/or Modifications

The City will follow 24CFR 91.505 when making amendments or modifications to the Consolidated plan, Action Plan or Citizen Participation Plan. An amendment to the Consolidated Plan or Action Plan will be necessary when one of the following occurs.

1. A change occurs in the City's allocation priorities or a change in the method of distribution of funds.
2. It is necessary to change the purpose, scope, location or beneficiaries of an activity.
3. An activity is to be carried out using funds from any program covered by the Consolidated Plan but not previously described in the Action Plan.

Criteria for Substantial Amendment

The City of Muskegon considers an item to be a substantial amendment that significantly affects the scope of services, purposes or beneficiaries of a project or in combination with other changes that are greater than 10% of the year's fiscal CDBG or HOME entitlement amount in question.

Any amendments to the Consolidated Plan will be advertised in the City's major newspaper "the Muskegon Chronicle" allowing the citizenry 30 days to comment on the amendment(s). The City will review all comments concerning the changes written or oral. A summary of the comments and views along with any required replies will be attached to the amendments of the plan.

Period for Citizen Comments

A formal comment period of 30 days will be provided for all Consolidated Plans, Annual Action Plans, Citizens Participation Plan. In the case of Environmental Reviews and Request for Release of Funds activities the City will comply with CFR 24 58.45.

In all circumstances a summary of the plan, performance report, or substantial amendment, or other relevant documentation will be published at the beginning of the formal comment periods. The summary will clearly express the period that comments will be accepted, as well as the procedure for making comments.

Written comments received during the comment period along with oral comments made during Public Hearings will be considered. A summary of such comments by citizens, public agencies, and other interested parties will be attached to the relevant Plan, substantial amendment or performance report or related document. In a situation where it is not favorable incorporated the comments will be included in the summary of comments along with an explanation of why it was not possible to incorporate the comments.

Public Hearings

- The City of Muskegon will hold at least two (2) Public Hearings per year during regular City Commission meetings in order to obtain comments and suggestions of citizens on the proposed activities and or complaints.
- The City of Muskegon Community and Neighborhood Services department will publish a notice of public hearings in the Muskegon Chronicle ten (10) days prior to the Public Hearing date. The notice will include date, time, place, procedure of the hearing and topics to be considered.

Availability and Accessibility to Documents during Public Comment Periods

The City of Muskegon will have the document available for public comment at the following locations for public review:

- Community and Neighborhood Services office, City Hall, 933 Terrace St. 2nd Floor
- City of Muskegon City Clerk's office, City Hall, 933 Terrace St. 1st Floor
- Hackley Public Library, Research Section, 316 W. Webster Ave
- Muskegon Housing Commission, 1823 Commerce

Anti-Displacement Policy

The City of Muskegon has attempted to avoid to all extent feasible the involuntary permanent displacement of persons as a result of federally assisted projects. No displacement is anticipated to occur as a result from current or projected community development or housing activities to be undertaken by the City. If conditions occur which trigger displacement, as defined by applicable Federal regulations, the City will provide all advisory services and financial assistance in accordance with the Uniform Relocation and Real Property Acquisition Policies Act of 1970 and Section 104(d) of the Housing and Community Development Act of 1987, as amended. The City will take the necessary steps to ensure its Subrecipients or CHDO's and agents are aware of the necessity of avoiding displacement and that they are also aware of their responsibility should displacement occur in connection with any of the activities they administer.

RESOLUTION IN SUPPORT OF
"MOVE - THE - BOX"
INITIATIVE REGARDING CRIMINAL BACKGROUND CHECKS

WHEREAS, the City of Muskegon Civil Service Commission desires that maximum opportunity is extended to its citizens to have productive and useful lives; and

WHEREAS, successful societal re-entry of formerly convicted offenders is also desired by the City of Muskegon Civil Service Commissioners; and

WHEREAS, numerous national, state and local studies have found that for re-entry to be successful, removal of obstacles to employment and/or other legal income producing opportunities must be a priority; and

WHEREAS, an initiative entitled "Ban-The-Box" is being promulgated nationally to address the stigma associated with the label "felony" or "formerly convicted offender" in the employment consideration process; and

WHEREAS, this initiative recommends the removal of such inquiry from the written application for opportunities unless required by local, state or federal statute; and

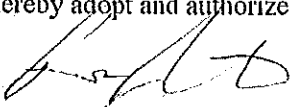
WHEREAS, this initiative does not remove the criminal inquiry or criminal background check in its entirety but places such inquiry in its proper place of consideration, that being the post-conditional-offer of employment" checks; and

WHEREAS, the City of Muskegon Civil Service Commissioners desire to afford its citizens every opportunity possible to successfully compete for employment and lawful income producing opportunities absent both intentional and unintentional prejudices.

NOW, THEREFORE, BE IT RESOLVED THAT the City of Muskegon Civil Service Commissioners do hereby require the removal of the inquiry regarding criminal history from the written and online application for all opportunities unless required by local, state or federal statute.

BE IT FURTHER RESOLVED THAT the City of Muskegon Civil Service Commissioners require each authorizing Director the responsibility for ensuring that this policy is followed and that "post-conditional offer of employment" checks are performed and documented to minimize potential liability.

BE IT FURTHER RESOLVED THAT the City of Muskegon Civil Service Commissioners do hereby adopt and authorize implementation of this policy by the City Manager and hiring personnel.



Franklin J. Peterson, City Manager

3/31/16

Date



David L. Wendland, Chairperson
Civil Service Commission

4/14/16

Date