

**Meeting Agenda
State College Borough
CDBG/Citizens' Advisory Committee (CAC)
May 5, 2020
Electronically Held Virtual Meeting / Noon**

I. Call to Order

II. Roll Call

Selden Smith, Chair
David Gaines, Vice-Chair
Ian Boswell
Alexis Burke
Jason Olcese
Marcia Patterson
Bruce Quigley

III. Approval of Minutes – March 3, 2020

IV. Chair Report

V. Public Hour - Hearing of Citizens

VI. State College Borough Citizen Participation Plan Amendment

To expedite the delivery of CDBG, HOME and ESG funds to address impacts of the coronavirus (COVID-19) the U.S. Department of Housing and Urban Development (HUD) temporarily authorized the comment period for Consolidated Plan Substantial Amendments to be reduced from 30 to five days through December 31, 2020. Additionally, the waivers permit remote, virtual hearings and meetings to be conducted for the purpose of social distancing.

The waivers do not authorize a public hearing advertisement of less than two weeks. Therefore, the proposed Citizen Participation Plan Amendment proposes that a two week notice of hearings be given and a separate notice of Consolidated Plan Amendments be made allowing as long of a comment period as is reasonably possible and that is not less than five days in duration.

Attached: Citizen Participation Plan with Draft of Plan Amendment

Staff Recommendation: Staff recommends approval of the proposed Citizen Participation Plan amendment with a recommendation to Council for approval.

Action Needed: After requesting public input, consider recommending the proposed Citizen Participation Plan amendment to Borough Council for approval on May 18, 2020.

VII. Public Hearing on Housing and Community Development Needs and Proposed Use of Funds to Prepare for, Prevent and Respond to the COVID-19 Pandemic

Federal regulations require communities that receive entitlement Community Development Block Grant (CDBG) and HOME Investment Partnerships Program (HOME) funds from the U.S. Dept. of Housing and Urban Development to complete a Consolidated Plan, which is a five-year planning document that identifies a community's overall housing and community development needs and a strategy to meet those needs. State College must complete a Substantial Amendment to Consolidated Plans and Annual Action Plans to allocate the Supplemental CDBG-CV funds and to potentially reallocate previously budgeted CDBG and HOME funds from prior years.

The Borough was in the process of a Substantial Amendment to its 2015-2019 and 2020-2024 Consolidated Plans and to numerous Annual Action Plans when notified of receiving \$305,713 in CDBG-CV funding. Borough Council completed a Substantial Amendment process on April 20th, 2020 prior to initiating another Substantial Amendment process for the CDBG-CV funds. As part of the Substantial Amendment process, the State College Borough CDBG Citizen's Advisory Committee will hold a public hearing to obtain the views of citizens, public agencies and other interested parties on housing and community development needs and on development of proposed activities. Council will be asked to act on this amendment on June 15, 2020.

A notice advertising this hearing was published in the *Centre Daily Times* on April 21, 2020. Notices about the hearing were sent to municipal and county officials and to human service agencies. Prior to accepting comments, staff will make a brief presentation regarding availability of funding, eligible activities, income benefit, fair housing and disproportionality, and displacement.

Attached: Public Notice Public Comment Period, Notice of Public Hearing

Action Needed: Conduct Public Hearing

VIII. Upcoming Meeting

Tuesday, June 2, 2020 at Noon

IX. Adjournment

**Meeting Minutes
State College Borough
CDBG/Citizens' Advisory Committee (CAC)
March 3, 2020**

The State College Borough Community Development Block Grant/Citizens' Advisory Committee (CDBG/CAC) meeting was called to order in the Municipal Building, 243 South Allen Street by Selden Smith, Chair on Tuesday, March 3, 2020 at Noon.

Members Present

Selden Smith, Chair; David Gaines, Vice-Chair; Ian Boswell; Jason Olcese; and Marcia Patterson

Members Absent

Bruce Quigley, Alexis Burke

Others Present

Maureen H. Safko, Senior Planner; Elizabeth S. Eirmann, Planner-Housing Specialist; Deb Hoag, Public Works Director; Denise L. Rhoads, Administrative Assistant; Annette Ratliff, Housing Transitions, Inc. (HTI); Colleen Ritter, Director, State College Community Land Trust (SCCLT); Phil Jones, Director, House of Care (HOC); Amy Rumbel and Sarah Valsechi, Centre Safe (CS); and Stephanie Fost, Habitat for Humanity (HFH)

Approval of Minutes

A motion was made by Ms. Patterson and seconded by Mr. Boswell to approve the February 5, 2020 minutes as submitted. The vote was unanimously in favor.

Chair Report

Selden Smith, Chair, had nothing to report.

Public Hour

No one from the public wanted to discuss items not on the agenda.

Public Hearing on Program Performance

Ms. Safko stated the purpose of the public hearing was to receive comments from citizens on the performance of the State College CDBG and the HOME Investment Partnership programs during the 2019 program year. She also noted an ad that provided notification of the public hearing was published in the *Centre Daily Times*, and an announcement ran on C-NET and was posted on the Borough's webpage. Notices were sent to municipal and county officials and to human service agencies

- Ms. Rumbel, CS shelter and transitional housing Director, thanked the Borough and staff for the funding previously provided, noting it helped to provide the shelter with 24 hour-overnight staffing.
- Mr. Jones, HOC Director, stated the Borough helped to purchase the home for HOC. He noted this year will be the 20th year the Borough had been supporting the program. There would be a 20th year celebration on June 20, 2020. He also stated the funding supported staff salaries. Mr. Jones stated another reason he attended this meeting was to advocate for the Out of the Cold program that provided overnight emergency shelter. The program had grown to 14 partner congregations with a new daytime shelter. The shelter currently helped 18-24 people per day.

He noted our community really needed a permanent emergency shelter. He asked that staff and members encourage the community to help with this need.

- Ms. Ratliff, HTI., stated the Borough funded their emergency shelter with overnight staff and helped with staff who provide counseling on employment preparedness and housing.
- Ms. Ritter, SCCLT, stated they received HOME funding from the Borough to purchase, renovate and sell to First-Time Homebuyer's (FTHB) and had done this 1996. She noted SCCLT was on target to do two houses in 2020.
- Ms. Fost, HFH, noted they did not receive funding but, she was here to promote awareness throughout Centre County. She stated HFH was interested in partnering across the community.

Ms. Safko's overview included:

- She noted the 2020 CDBG allocations had a 2.9% increase to \$519,000.
- HOME allocations had a 20% decrease to \$228,000.
- Discussed the 2018 year-end financial status and noted what was left from that year was then added to what was allocated in 2019.
- She stated the Borough had just over 1 million to spend in CDBG funds.

She next discussed CDBG goals for 2019.

Ms. Safko reviewed the previously approved goals in the 2020-2024 CP and 2020 AP which would be adjusted through the amendment as follows:

- 2020 Housing Transitions Inc. increases from 70 to 80
- 2020 Burrowes Street Youth Haven decreases from 25 to 15
- 2020-2024 THF Rental Acquisition/Rehab Program increases from 4 to 8
- 2020-2022 Owner-Occupied Housing Rehabilitation increases from 1 to 2

Ms. Safko asked if any of the human service agencies wished to speak on their goal numbers.

- Ms. Rumbel stated the CS shelter was a 30-day shelter but sometimes it took more than 30 days to find proper housing and jobs and they could not always serve the amount of persons they hoped to. She stated the model they were currently using worked better to serve people the best way they could.

CAC comments

- Mr. Boswell asked if they turned people away and Ms. Rumbel stated they did sometimes.
- Mr. Boswell asked why the Borough's low-income program had not met their goal. Ms. Eirmann stated because of the price of the homes in the community the buyer needed to come to the table with a large amount of down payment and not many could do that. Ms. Safko stated the gap between affordability and what the Borough could help with was large.
- Mr. Smith stated it sounded like one program was competing with another of our programs and only one was winning.
- Mr. Boswell suggested taking the sizable balance of Borough's low-income funds and allow the CHDO to use it to make up for the gap in funding.

Next discussed: Goals for 2020

- Owner-Occupied Housing Rehab 1
- FTHB Low-Income 1
- SCCLT FTHB 1
- Temporary Housing Foundation, Inc. (THF) FTHB 1
- THF rental Acquisition/Rehab 2
- Purchased an 8-unit townhouse with SCCLT owning land and THF owning the improvements.
- East Fairmount Park project started Fall 2018 with funds from the Department of Conservation and Natural Resources, a Tree Vitalize grant along with CDBG funding and should be completed sometime in 2020.

- Human Service Agencies Beneficiaries

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Ms. Ritter stated the SCCLT recently purchased a duplex with tenants already renting. She noted once the tenants move out the renovation would start. She noted the duplex was built in the 1970's and needed a lot of attention. Currently, they were trying out a program called Energy + for improvements. She also noted SCCLT had another project on North Glenn Street and had a sales agreement in place.

Mr. Olcese asked Mr. Jones how much money would be needed for a permanent day shelter and Mr. Jones stated approximately \$500,000. Mr. Olcese noted he would like this to be a priority and be put on an upcoming agenda.

Review of CDBG-Funded CIP's 2020-2024

Ms. Safko stated, traditionally, State College Borough budgeted roughly half of its annual CDBG allocation for public facilities activities such as street reconstruction, installation of streetlights, or similar projects. Staff of the Public Works Department and the Planning Department collaborated to recommend the allocation of CDBG funds for public facilities projects over the next five years.

Ms. Hoag discussed the funding provided by CDBG funds. She noted, if possible, the Public Works department tried to find other funds before using the CDBG funds.

Ms. Hoag's brief overview:

- \$250,000 was allocated for 2019 CDBG CIP Projects: 1) eight lights on Sowers Street and curb ramp replacements as needed, 2) 10 lights on Hetzel Street and curb ramp replacements as needed, and 3) 10 lights on Foster Avenue between Allen and Pugh Streets as an add alternate to the bid.
- \$92,000 was allocated for 2020 CDBG CIP Projects: East Fairmount Park site and equipment upgrades, which was paired with other funding sources for a total project budget of \$228,000:
 - PA DCNR grant \$101,000.00
 - Borough PK001 Parks Maintenance Reserve \$ 11,777.57
 - Borough PK200 Park Acquisition/Improvements \$ 13,222.43
 - **CDBG Funds** **\$ 92,000.00**
 - Borough In-Kind \$ 10,000.00

Ms. Hoag noted an additional source of funding provided over \$3,000 in TreeVitalize grants for trees for the project.

Project or projects to be determined based on Strategic Plan review: \$158,000.00

- \$250,000 was allocated for 2021 CDBG CIP Projects
 - Various Borough-owned parks – evaluate and remove architectural barriers to accessibility at rest facilities and other areas in existing parks and recreational facilities \$ 95,000.00
 - Streetlight and curb ramp replacements \$ 75,000.00
 Five lights and two curb ramp replacements on Garner Street
 - Street reconstruction \$ 80,000.00
 Burrowes Street paving reconstruction between West College and West Beaver Avenues including bus stop subbase reinforcement and concrete pad construction
 - Bicycle Path Improvements \$ 64,000.00
- \$250,000 was allocated for 2022 CDBG CIP Projects
 - Streetlight and curb ramp replacement – 18 new lights on Pugh Street between Beaver and Nittany Avenues

- \$250,000 was allocated for 2023 CDBG CIP Projects Bicycle Path Improvements
 - Construction of a shared use path to connect parks and schools for off-road travel between facilities. The path may connect sections of existing paths constructed by others adjacent to their property and projects.
- \$250,000 was allocated for 2024 CDBG CIP Projects – Streetscape Improvements
 - A plan for the West End (WE) Neighborhood Streetscape Improvements to be developed in consultation with the neighborhood, which may include lighting, plantings, curb adjustments, etc. designed to improve pedestrian safety and enhance the neighborhood.
- \$250,000 was allocated for 2025 for scattered site pedestrian safety project.

Ms. Hoag stated that the cost of making changes in the WE neighborhood would be far greater than the amount of CDBG funds available.

Ms. Safko noted staff was looking forward to the results of the 2020 Census data.

Ms. Safko asked Ms. Hoag for an update on the schedule for the South Atherton Street project. Ms. Hoag stated PennDOT kept changing the date of completion.

CAC's comments

- Mr. Gaines asked what the WE neighborhood was. Ms. Hoag stated it was the area west of Atherton Street in the vicinity of College Avenue.
- Mr. Smith stated, when speaking of ownership, that a majority of properties in the WE are tenant occupied.
- Mr. Gaines noted the town was changing and asked to what extent were the projects anticipating these changes. Ms. Hoag stated that project selection identification begins during the land development review process.

Substantial Amendments to the State College Borough 2015-2019 and 2020-2024 Consolidated Plans (CP) and the 2015, 2017, 2018, 2019 and 2020 Annual Action Plans (AP)

Ms. Safko stated the Committee was asked to consider recommending to Council for approval the proposed substantial amendments to the FY 2020 Annual Action Plan, which were necessary due to receiving actual allocations from HUD for the FY 2020 CDBG and HOME Programs.

Some highlights included:

- In October of 2019, Council approved a FY 2020 Annual Action Plan for CDBG, and HOME funds based on a budget that was estimated to be equal to FY 2019 funding amounts.
- On February 14, 2020, HUD provided the Borough with actual allocations for the FY 2020 CDBG and HOME Programs.
- The CDBG budget was 2.9% higher than the 2019 funding level.
- The HOME allocation was 20% lower than in 2019.
- Prior to submitting the 2020-2024 Consolidated Plan and the FY 2020 Annual Action Plan to the U.S. Department of Housing and Urban Development (HUD), there was an opportunity to adjust budgets and goals and to reprogram balances of CDBG and HOME funds remaining from prior years.

Ms. Safko stated the amendments would include five components:

- adjust the FY 2020 Action Plan budget from estimates to actual allocations;
- reprogram CDBG funds remaining from the completed 2019 CDBG Infrastructure Project: Streetlights/Curb Ramps- Sowers/Hetzel/Foster.

This amendment would accomplish:

After completion of the 2019 Infrastructure Project, the following balance remained \$136,013.28 (\$19,153.49, from 2015, and \$116,859.79 from 2019). The proposed amendment would make all of these funds available to the 2020-2021 Infrastructure Streetlight Project plus an estimated additional \$75,000 from FY 2021 CDBG funds.

- respond to a 20% reduction in FY 2020 HOME funds by reallocating prior year, and FY 2020 CDBG balances from the Borough First Time Homebuyer (FTHB) Program (Low Income) 2020-2021 to the Temporary Housing Foundation (THF) FTHB Program 2020-2021;

This amendment would accomplish:

The estimated HOME funding level was already so low that it was challenging for each CHDO to aggregate sufficient funds to complete one homebuyer project per year. The 20% HOME budget cut only aggravated the problem. To restore needed funding to these affordable housing projects, it was proposed balances from prior year CDBG Borough Low homebuyer budgets be reallocated to a THF CHDO Acquisition/Rehabilitation Project. Each CHDO would receive equal allocations of \$245,066. SCCLT would be funded from HOME funds and THF from CDBG funds. In addition to offering full support to the CHDOs, the proposed amendment would help to maintain timely expenditure rate compliance.

- adjust goals of the 2020-2024 CP and 2020 AP;

This amendment would accomplish:

2020 Housing Transitions Inc. increase from 70 to 80
 2020 Burrowes Street Youth Haven decrease from 25 to 15
 2020-2024 THF Rental Acquisition/Rehab Program increase from 4 to 8
 2020-2022 Owner-Occupied Housing Rehabilitation increase from 1 to 2

- correct minor typographical errors.

Ms. Safko's overview:

- CDBG Actual Allocation for 2020
 - \$103,936.60 for Administration and Planning
 - \$77,952.00 divided between the Human Service Agencies:
 - * Centre Safe \$29,252
 - * House of Care \$17,319
 - * Housing Transitions, Inc. \$16,826
 - * Burrowes Street Youth Haven \$ 9,382
 - * Youth Service Bureau Independent Living \$ 5,173
- Public Facilities and Improvements – Actual Allocation
 - 2020 Capital Improvement Projects (CIP) Project – Park \$ 92,000.00
 - 2020 CIP Project – Streetlights \$294,013.28
- Housing – Actual Allocation
 - Borough's First-time Homebuyer Program \$ 34,080.88
 - Temporary Housing Foundation, Inc. \$245,066.00

Total Expenditures \$847,048.76
- Revenues – Total Allocation
 - Reprogrammed Funds \$322,530.51
 - CDBG Program Income \$ 4,835.25

Ms. Safko asked for comments.

CAC comments

- Mr. Smith stated he reviewed the document and did not note that any major changes as needed.

Ms. Safko stated that the State College Borough Citizen Participation Plan required a substantial amendment process be followed, which included an advertisement, a 30-day comment period, a public hearing, and action by Borough Council.

A motion was made by Ms. Patterson and seconded by Mr. Boswell to recommend approval of these amendments. The vote was unanimously in favor.

Upcoming Meeting

The next scheduled meeting would be Tuesday, April 7, 2020 at Noon.

Ms. Safko stated there was some confusion as to whether Ms. Burke was still a member. We were waiting on further instructions from the Human Resources Department.

Mr. Boswell stated he would be interested in discussing utilizing former fraternity houses and using them as shelters.

Mr. Olcese stated he would be really interested in helping the homeless.

Mr. Boswell stated the way the CHDO's split the funding seemed to be working.

Adjournment

With no further business to discuss, the meeting was adjourned at 1:27 p.m. by Mr. Boswell and seconded by Ms. Patterson. The vote was unanimously in favor.

Respectfully submitted,

Denise L. Rhoads
Administrative Assistant



Citizen Participation Plan

As required under 24 CFR 91.105, following is the citizen participation plan for the Borough of State College's Community Development (CD) Program as it relates to the development of any Consolidated Plan (CP) and/or Assessment of Fair Housing (AFH); substantial amendment to the CP and/or revision to the AFH; and the Consolidated Annual Performance Report (CAPER).

To further citizen participation, Council shall:

1. Recruit and appoint members to the CAC;
2. Provide the opportunity for any resident to comment on matters relating to the CD program at all public meetings of Council; and,
3. Conduct such public hearings as required by federal law.

The Citizens' Advisory Committee

The Citizens' Advisory Committee (CAC) shall remain the focal point of citizen participation in the consolidated planning process, as well as the AFH process. In order to fulfill this obligation, the CAC, in conjunction with Council and staff, shall undertake the activities described below.

1. The membership of the CAC shall be seven members who shall serve 4-year terms and who may serve two successive terms. In recruiting members for the CAC, the municipality shall actively seek and encourage participation by low- and moderate-income residents or representatives of groups of low- and moderate-income residents.
2. Hold at least two public hearings annually to: a) identify housing and community development needs; b) review program performance; c) review the proposed use of funds; and d) proposed strategies and actions for affirmatively furthering fair housing. At least one of the public hearings will be held before the proposed CP/AFH is published for comment.
3. Provide a forum where any public or private agency or any individual or group of individuals may present proposals for use of HOME and CDBG funds.
4. Fulfill all duties and responsibilities established in the "Charge to the Community Development Block Grant Citizens' Advisory Committee" as approved by Borough Council.

Borough Staff

To further the participation of residents in the consolidated planning process, as well as the AFH process, the Borough Manager or his/her designee shall:

1. Assist Borough Council and the CAC, as necessary.
2. Provide reasonable technical assistance to low- and moderate-income individuals or groups and to other agencies, individuals or organizations that request assistance in developing proposals under the CP/AFH submission.

3. Provide reasonable and adequate public notification of and access to all meetings, hearings, and other activities at which the housing and community development needs of the municipality, program performance, or proposed and actual use of funds are discussed. For the 2 public hearings, this is achieved by publishing in the local newspaper, the *Centre Daily Times*, with an ad located outside of the legal section and by advertising the meeting on CNET, Centre County's government and educational access network 2 weeks prior to the hearings.
4. Provide residents, public agencies, and other interested parties the opportunity to receive information, and to review and submit comments on any proposed submission concerning proposed activities, including the estimated amount of assistance (including grant funds and program income) the Borough expects to receive and the range of activities that may be undertaken including the estimated amount that will benefit persons of low- and moderate-income. If necessary, contingency provision language will be included to explain how adjustments to the proposed plan will be made once actual allocation amounts are announced. The CP/AFH will be made available in a form accessible to persons with disabilities upon request. Access to records available for at least five years
5. Minimize displacement and assist those displaced as a result of proposed activities and provide access to the Borough's plans to achieve this.
6. Take actions appropriate to meet the needs of all residents including minorities and non-English speaking persons, as well as persons with disabilities in all stages of the consolidated planning process as well as the AFH process.
7. Based on the four-factor analysis, while a Language Access Plan is not necessary, staff will take reasonable steps outlined in the Borough's Limited English Proficient (LEP) policy to provide the opportunity for meaningful access to LEP participants. The Borough affirms that it shall meet the needs of non-English-speaking residents at public hearings regarding the CP/AFH when a significant number of non-English-speaking residents can be expected to participate.
8. Publish the proposed CP/AFH so that affected residents, public agencies and other interested parties have sufficient opportunity to review it and provide comments. This requirement will be met by publishing a summary of the proposed CP/AFH in one or more newspapers of general circulation and making copies available at libraries, government offices and public places. The summary will describe the contents and purpose of the CP/AFH and will include a list of the locations where copies of the entire plan may be examined. Residents and groups will be provided with a reasonable number of free copies of the CP/AFH.
9. Provide residents a period of not less than 30 days prior to the submission of the CP/AFH to comment. Comments will be considered in the preparation of the final CP/AFH and a summary of the comments will be attached to the CP/AFH. This summary will include a written explanation of comments not accepted and the reasons why these comments were not accepted.
10. Provide timely written answers to written complaints and grievances, within 15 working days, where practical.
11. Ensure that prior to submission of any substantial amendment to the CP or revision to the AFH, residents will have reasonable notice of, and opportunity to comment, on the proposed amendment/revision.

Consolidated Plan Amendment Policy

Following are the policies and procedures for different types of amendments.

CP Substantial Amendment

A substantial amendment will be required to the adopted CP under the following conditions:

1. Deletion of an Approved Activity. Where the Borough proposes to delete an approved CP activity, a substantial amendment will be required.
2. Addition of an Activity. Where the Borough proposes to add an activity to an approved CP, a substantial amendment will be required.
3. Change of Scope to an Approved Activity. Where the Borough proposes to make additions or deletions to the scope of a previously approved activity, a substantial amendment may be required. CDBG/HOME staff will review all change of scope proposals to determine whether the action is significant. If the action is determined to be significant, a substantial amendment will be required. Significant actions are deemed to be changes which result in a change in the commitment of funds beyond 25% of the original allocation or \$25,000, whichever is greater, but not to exceed 50% of the original allocation. Environmental impacts previously not considered shall also require a substantial amendment.

Following are the procedures to be followed when a substantial amendment is necessary:

- Step 1: Staff prepares a report on the proposed changes.
- Step 2: CDBG/HOME staff reviews the proposal and determines if a substantial amendment is required. If no amendment is necessary, staff publishes a notice of the change, allowing a 30-day comment period, and implements the proposed changes. If an amendment is necessary, staff prepares a recommendation to the CDBG CAC on the proposal, publishes a notice summarizing the proposed amendment in a newspaper of general circulation and makes copies available at libraries, government offices and public places. Staff ensures the notice provides no less than a 30-day period to receive comments on the substantial amendment before the amendment is implemented. Any comments or views of residents received in writing, or orally at public hearings will be considered.
- Step 3: On receipt of the recommendation from the CDBG CAC, Council establishes a Public Hearing date.
- Step 4: Public Hearing is held before Council to consider any comments or views of residents regarding the proposed amendment. Following the hearing, Council may act to approve or deny the proposed amendment or request an additional staff report and table the action until the next-scheduled meeting.
- Step 5: If Council approves the proposal, staff will notify HUD. Staff will provide a summary of any comments or views of residents received, any comments or views not accepted and the reasons therefore; and attach it to the amendment.
- Step 6: If Council approves the proposal, CD staff will submit the following documentation to the Finance Director:
 - a. a memorandum indicating the changes in the allocation of funds, and how account or accounts are affected; and
 - b. a copy of the pertinent pages of the amended CP.

CP Informal Amendment

An informal amendment will be required when the proposed change does not trigger a substantial amendment.*

- Step 1: If an informal amendment is necessary, staff publishes a notice summarizing the informal amendment in a newspaper of general circulation and makes copies available at libraries, government offices and public places. Staff ensures the notice provides no less than a 30-day period to receive comments. Any comments or views of residents received in writing, or orally at public hearings will be considered.
- Step 2: Staff will notify HUD. Staff will provide a summary of any comments or views of residents received, any comments or views not accepted and the reasons therefore; and attach it to the informal amendment.
- Step 3: CD staff will submit the following documentation to the Finance Director:
 - a. a memorandum indicating the changes in the allocation of funds, and how account or accounts are affected; and
 - b. a copy of the pertinent pages of the amended CP.

*Exceptions: 1. DeMinimus Changes – Minor budgetary changes that are necessary will be made by staff. DeMinimus changes are deemed to be changes in funding up to \$2,500, but not to exceed 50% of the original allocation.

2. Reconciling estimated and actual allocation amounts – changes made to reconcile estimated amounts used prior to the announcement of the funding year's actual allocation amounts will not require an amendment as long as the CP includes language that estimated amounts have been used and contingency language on how the plan will be adjusted to match actual allocation amounts once announced.

Assessment of Fair Housing Revision Policy

A revision will be required to the accepted Assessment of Fair Housing (AFH) under the following conditions:

1. A material change occurs. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. Examples include 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 program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; or
2. HUD's written notification specifying a material change that requires the revision.

Following are the procedures to be followed when a revision is necessary:

- Step 1: Staff prepares a recommendation to the CDBG CAC on the proposed revision, publishes a notice summarizing the proposed revision in a newspaper of general circulation and makes copies available at libraries, government offices and public places. Staff ensures the notice provides no less than a 30-day period to receive comments on the revision before the revision

is implemented. Any comments or views of residents received in writing, or orally at public hearings will be considered.

- Step 2: On receipt of the recommendation from the CDBG CAC, Council establishes a Public Hearing date.
- Step 3: Public Hearing is held before Council to consider any comments or views of residents regarding the proposed revision. Following the hearing, Council may act to approve or deny the proposed revision or request an additional staff report and table the action until the next-scheduled meeting.
- Step 4: If Council approves the proposed revision, staff will notify HUD. Staff will provide a summary of any comments or views of residents received, any comments or views not accepted and the reasons therefore; and attach it to the revision.



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1. The membership of the CAC shall be seven members who shall serve 4-year terms and who may serve two successive terms. In recruiting members for the CAC, the municipality shall actively seek and encourage participation by low- and moderate-income residents or representatives of groups of low- and moderate-income residents.
2. Hold at least two public hearings annually to: a) identify housing and community development needs; b) review program performance; c) review the proposed use of funds; and d) proposed strategies and actions for affirmatively furthering fair housing. At least one of the public hearings will be held before the proposed CP/AFH is published for comment.
3. Provide a forum where any public or private agency or any individual or group of individuals may present proposals for use of HOME and CDBG funds.
4. Fulfill all duties and responsibilities established in the "Charge to the Community Development Block Grant Citizens' Advisory Committee" as approved by Borough Council.

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7. Based on the four-factor analysis, while a Language Access Plan is not necessary, staff will take reasonable steps outlined in the Borough's Limited English Proficient (LEP) policy to provide the opportunity for meaningful access to LEP participants. The Borough affirms that it shall meet the needs of non-English-speaking residents at public hearings regarding the CP/AFH when a significant number of non-English-speaking residents can be expected to participate.
8. Publish the proposed CP/AFH so that affected residents, public agencies and other interested parties have sufficient opportunity to review it and provide comments. This requirement will be met by publishing a summary of the proposed CP/AFH in one or more newspapers of general circulation and making copies available at libraries, government offices and public places. The summary will describe the contents and purpose of the CP/AFH and will include a list of the locations where copies of the entire plan may be examined. Residents and groups will be provided with a reasonable number of free copies of the CP/AFH.
9. Provide residents a period of not less than 30 days prior to the submission of the CP/AFH to comment. Comments will be considered in the preparation of the final CP/AFH and a summary of the comments will be attached to the CP/AFH. This summary will include a written explanation of comments not accepted and the reasons why these comments were not accepted.
10. Provide timely written answers to written complaints and grievances, within 15 working days, where practical.
11. Ensure that prior to submission of any substantial amendment to the CP or revision to the AFH, residents will have reasonable notice of, and opportunity to comment, on the proposed amendment/revision.

Consolidated Plan Amendment Policy

Following are the policies and procedures for different types of amendments.

CP Substantial Amendment

A substantial amendment will be required to the adopted CP under the following conditions:

1. Deletion of an Approved Activity. Where the Borough proposes to delete an approved CP activity, a substantial amendment will be required.
2. Addition of an Activity. Where the Borough proposes to add an activity to an approved CP, a substantial amendment will be required.
3. Change of Scope to an Approved Activity. Where the Borough proposes to make additions or deletions to the scope of a previously approved activity, a substantial amendment may be required. CDBG/HOME staff will review all change of scope proposals to determine whether the action is significant. If the action is determined to be significant, a substantial amendment will be required. Significant actions are deemed to be changes which result in a change in the commitment of funds beyond 25% of the original allocation or \$25,000, whichever is greater, but not to exceed 50% of the original allocation. Environmental impacts previously not considered shall also require a substantial amendment.

Following are the procedures to be followed when a substantial amendment is necessary:

- Step 1: Staff prepares a report on the proposed changes.
- Step 2: CDBG/HOME staff reviews the proposal and determines if a substantial amendment is required. If no amendment is necessary, staff publishes a notice of the change, allowing a 30-day comment period, and implements the proposed changes. If an amendment is necessary, staff prepares a recommendation to the CDBG CAC on the proposal, publishes a notice summarizing the proposed amendment in a newspaper of general circulation and makes copies available at libraries, government offices and public places. Staff ensures the notice provides no less than a 30-day period to receive comments on the substantial amendment before the amendment is implemented. Any comments or views of residents received in writing, or orally at public hearings will be considered.
- Step 3: On receipt of the recommendation from the CDBG CAC, Council establishes a Public Hearing date.
- Step 4: Public Hearing is held before Council to consider any comments or views of residents regarding the proposed amendment. Following the hearing, Council may act to approve or deny the proposed amendment or request an additional staff report and table the action until the next-scheduled meeting.
- Step 5: If Council approves the proposal, staff will notify HUD. Staff will provide a summary of any comments or views of residents received, any comments or views not accepted and the reasons therefore; and attach it to the amendment.
- Step 6: If Council approves the proposal, CD staff will submit the following documentation to the Finance Director:
 - a. a memorandum indicating the changes in the allocation of funds, and how account or accounts are affected; and
 - b. a copy of the pertinent pages of the amended CP.

CP Informal Amendment

An informal amendment will be required when the proposed change does not trigger a substantial amendment.*

- Step 1: If an informal amendment is necessary, staff publishes a notice summarizing the informal amendment in a newspaper of general circulation and makes copies available at libraries, government offices and public places. Staff ensures the notice provides no less than a 30-day period to receive comments. Any comments or views of residents received in writing, or orally at public hearings will be considered.
- Step 2: Staff will notify HUD. Staff will provide a summary of any comments or views of residents received, any comments or views not accepted and the reasons therefore; and attach it to the informal amendment.
- Step 3: CD staff will submit the following documentation to the Finance Director:
 - a. a memorandum indicating the changes in the allocation of funds, and how account or accounts are affected; and
 - b. a copy of the pertinent pages of the amended CP.

- *Exceptions: 1. DeMinimus Changes – Minor budgetary changes that are necessary will be made by staff. DeMinimus changes are deemed to be changes in funding up to \$2,500, but not to exceed 50% of the original allocation.
2. Reconciling estimated and actual allocation amounts – changes made to reconcile estimated amounts used prior to the announcement of the funding year's actual allocation amounts will not require an amendment as long as the CP includes language that estimated amounts have been used and contingency language on how the plan will be adjusted to match actual allocation amounts once announced.

Assessment of Fair Housing Revision Policy

A revision will be required to the accepted Assessment of Fair Housing (AFH) under the following conditions:

1. A material change occurs. A material change is a change in circumstances in the jurisdiction of a program participant that affects the information on which the AFH is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the AFH no longer reflect actual circumstances. Examples include 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 program participant's area that are of such a nature as to significantly impact the steps a program participant may need to take to affirmatively further fair housing; significant demographic changes; new significant contributing factors in the participant's jurisdiction; and civil rights findings, determinations, settlements (including Voluntary Compliance Agreements), or court orders; or
2. HUD's written notification specifying a material change that requires the revision.

Following are the procedures to be followed when a revision is necessary:

- Step 1: Staff prepares a recommendation to the CDBG CAC on the proposed revision, publishes a notice summarizing the proposed revision in a newspaper of general circulation and makes copies available at libraries, government offices and public places. Staff ensures the notice provides no less than a 30-day period to receive comments on the revision before the revision

is implemented. Any comments or views of residents received in writing, or orally at public hearings will be considered.

- Step 2: On receipt of the recommendation from the CDBG CAC, Council establishes a Public Hearing date.
- Step 3: Public Hearing is held before Council to consider any comments or views of residents regarding the proposed revision. Following the hearing, Council may act to approve or deny the proposed revision or request an additional staff report and table the action until the next-scheduled meeting.
- Step 4: If Council approves the proposed revision, staff will notify HUD. Staff will provide a summary of any comments or views of residents received, any comments or views not accepted and the reasons therefore; and attach it to the revision.

Temporary Changes in Response to the COVID-19 Pandemic

The Coronavirus Aid, Relief and Economic Security Act allows grantees to adopt and utilize expedited procedures to prepare, propose, modify, or amend its statement of activities (consolidated plan) to address the COVID-19 pandemic. In response, the following changes to the citizen participation process are in effect until December 31, 2020:

- 1. The usual 30-day public comment period for any proposed amendments relating to the use of CDBG-CV and ESG funds, as well as FY2020 and FY2019 CDBG and HOME funds will be reduced. Efforts will be made to allow for as long a period as possible, with no comment period less than 5 days. In accordance with the CARES Act, concurrent amendment processes may be undertaken for the Citizen Participation Plan and the Consolidated Plans.

During the time national or local health authorities recommend social distancing and/or limiting public gatherings for public health reasons, the following procedures shall be in effect:

- 2. Access to copies of the proposed amendments will be available for as long a period as possible, but not less than 5 days prior to the public hearing, in the following manner:
 - a. Hard copy at the Police Dept. during regular business hours.
 - b. Online at Borough's website: www.statecollegepa.us.
- 3. Public meetings and hearings will be virtual rather than in-person.
 - a. Instructions and a link for public meetings will be emailed to CAC and Borough Council members, staff, and interested parties. This information will also be published in a public notice and made available on the Borough's website for all citizens to participate.
 - b. Notices for public hearings with instructions and a link will be published at least two weeks prior to the date of the hearing. Written comments to be included in the public hearing will be accepted until the 5 p.m. the day prior to the hearing.
 - c. In addition to written comments, the public hearings and meetings will be conducted using software that will allow attendees the opportunity to ask questions in real time, with answers coming directly from CAC members, elected representatives and staff to all virtual attendees.

HUD Temporary Waiver of Citizen Participation Plan Requirements

Per a memo from Acting Assistant Secretary of the U.S. Department of Housing and Urban Development, John Gibbs, on the Availability of Waivers of Community Planning and Development (CPD) Grant Program and Consolidated Plan Requirements to Prevent the Spread of COVID-19 and Mitigate Economic Impacts Caused by COVID-19 a CPD grantee may amend an approved consolidated plan in accordance with the HUD waiver guidance provided below.

8. Citizen Participation Public Comment Period for Consolidated Plan Amendment

Requirement: Citations:	30-day Public Comment Period. 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 A CPD grantee may amend an approved consolidated plan in accordance with 24 CFR 91.505. Substantial amendments to the consolidated plan are subject to the citizen participation process in the grantee's citizen participation plan. The citizen participation plan must provide citizens with 30 days to comment on substantial amendments.
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Justification: Given the need to expedite actions to respond to COVID-19, HUD waives 24 CFR 91.105(c)(2) and (k), 91.115(c)(2) and (i) as specified below, in order to balance the need to respond quickly to the growing spread and effects of COVID-19 with the statutory requirement to provide reasonable notice and opportunity for citizens to comment on substantial amendments concerning the proposed uses of CDBG, HOME, HTF, HOPWA or ESG funds.

Applicability: This 30-day minimum for the required public comment period is waived for substantial amendments, provided that no less than 5 days are provided for public comments on each substantial amendment. The waiver is available through the end of the recipient's 2020 program year. Any recipient wishing to undertake further amendments to prior year plans following the 2020 program year can do so during the development of its FY 2021 Annual Action Plan.

9. Citizen Participation Reasonable Notice and Opportunity to Comment

Requirement: Citations:	Reasonable Notice and Opportunity to Comment. 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 As noted above, the regulations at 24 CFR 91.105 (for local governments) and 91.115 (for States) set forth the citizen participation plan requirements for recipients. For substantial amendments to the consolidated plan, the regulations require the recipient to follow its citizen participation plan to provide citizens with reasonable notice and opportunity to comment. The citizen participation plan must state how reasonable notice and opportunity to comment will be given.
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Justification: HUD recognizes the efforts to contain COVID-19 require limiting public gatherings, such as those often used to obtain citizen participation, and that there is a need to respond quickly to the growing spread and effects of COVID-19. Therefore, HUD waives 24 CFR 91.105(c)(2) and (k), 24 CFR 91.115(c)(2) and (i) and 24 CFR 91.401 as specified below to allow these grantees to determine what constitutes reasonable notice and opportunity to comment given their circumstances.

Applicability: This authority is in effect through the end of the 2020 program year.

Published on April 21, 2020:

LEGAL NOTICE
NOTICE OF PUBLIC COMMENT PERIOD
NOTICE OF PUBLIC HEARING

Proposed amendments to the Borough of State College (Borough) Citizen Participation Plan (Plan) are available for public review and comment. The Plan outlines actions taken to involve citizens in the community development planning process. The proposed amendments involve temporary provisions to be implemented to address the COVID-19 pandemic (Pandemic). These include reducing the public comment period for amendments from 30 to 5 days and holding virtual public meetings and hearings. A copy of the revised Plan will be available from Apr. 21 through May 5, 2020 online at www.statecollegepa.us and in hard copy from 9 a.m. to 5 p.m. Mon-Fri at the Borough Police Dept., 243 S. Allen St. The Borough Community Development Block Grant (CDBG) Citizens' Advisory Committee (CAC) will review the proposed amendments during a virtual public meeting to be held at noon on May 5, 2020. Borough Council will consider the amendments during a virtual public meeting to be held at 7 p.m. on May 18, 2020.

Through the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Borough will receive \$305,713 in CDBG-CV funds to prepare for, prevent and respond to the impacts of the Pandemic. FY2019 and FY2020 CDBG and HOME funds may also be reallocated for this purpose. The CAC will hold a virtual public hearing during the May 5th meeting to obtain the views of citizens, public agencies, and other interested parties on Pandemic-related community development needs and the development of activities to be undertaken to address these needs.

Interested parties may register to participate in the May 5th CAC virtual public meeting and hearing at <https://attendee.gotowebinar.com/register/1453859342949821964>. For updated information and further instruction on hearing attendance and participation please see www.statecollegepa.us, call (814) 234-7109, (814) 234-7101 (TTY), or email planningdept@statecollegepa.us. Persons with a disability or Limited English Proficiency who wish to participate in the meeting/hearing are asked to contact the Planning Dept. at least 48 hours prior to the meeting to discuss your needs.

Written comments relating to either the Plan amendments, and/or Pandemic-related needs, will be accepted until 5 p.m. on May 4, 2020 by email, or by mail to Planning Dept., 243 S. Allen St., State College, PA 16801.

Thomas J. Fountaine, II
Borough Manager/Secretary