

City of Federal Way

# Citizen Participation Plan

for the

**Community Development Block Grant (CDBG) Program**

February 2019

DRAFT



**Citizen Participation Plan**  
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# City of Federal Way Citizen Participation Plan

## I. Introduction

The City of Federal Way (City) Citizen Participation Plan (CPP) sets forth the policies and procedures for citizen participation in the process to receive and administer federal funds for the Community Development Block Grant (CDBG) program. The CPP is required by the U.S. Department of Housing and Urban Development (HUD) as specified under 24 CFR 91.100 and 91.105. The City provides direct support for critical human services, economic development, affordable housing, and neighborhood stability through its Community Development Department, Community Services Division.

## II. Purpose

On February 5, 1988, the President signed into law the Housing and Community Development Act of 1987, which among other things, requires jurisdictions to develop and follow a citizen participation plan. This CPP is intended to encourage citizens to participate in the Consolidated Planning process and it outlines the procedures for approval of the Consolidated Plan (Con Plan) and the Annual Action Plan (AAP), for addressing concerns and complaints and for making amendments to either of these plans. The processes in the CPP apply to all community development and housing activities under the CDBG program.

The City encourages involvement by residents and organizations in the planning and implementation of activities included in the (Con Plan). The Con Plan provides for an assessment of community needs, outlines five-year strategies to address the needs, and establishes an AAP including the proposed use of grant funds.

This CPP describes how residents and organizations can access information, review and comment on proposed activities, and provide comments on performance evaluations of approved activities. Residents and organizations are also encouraged to participate in program implementation and monitoring activities.

Specifically, this CPP describes the details of the formal process for public participation in annual and long-range planning for the use of CDBG funds in the City.

## III. Structure for the Administration of CDBG Funds

The City is an “Entitlement” community receiving an annual CBDG grant directly from HUD. As a grantee, the City accepts responsibility for administration of the grant including strategic planning via the Con Plan; annual program planning, management, and funding decisions via the AAP; and oversight of sub-recipients that receive CDBG funding via the City.

The City is responsible for ensuring the use of funds is in accordance with the Con Plan as well as federal regulations. The City conducts funding application processes, prepares contracts, works with funded organizations to ensure projects successfully meet performance objectives, and provides technical assistance as needed.

## **Human Services Commission**

The CDBG program is guided and supported by the Human Services Commission (HSC). The HSC recommends to City Council the allocation of CDBG funds to specific projects and advises on guidelines and procedures for City funding in support of community development and human services. The HSC consists of nine regular, voting members and three non-voting alternates.

## **City Council**

The City Council oversees the administration of the CDBG program via approval of the Con Plan, the AAP, the CAPER, and the CPP. Approval of CDBG program plans and reports takes place in public hearings. Additionally, the Council appropriates an overall budget for the CDBG funding as part of its bi-annual budget that permits the acceptance and expenditure of the CDBG funds each year.

## **IV. Participation**

Citizens and stakeholders will be provided with information and the opportunity to give meaningful input to the consolidated planning process. The City will make available to residents, public agencies, and other interested parties information that includes the amount of assistance the jurisdiction expects to receive (including grant funds and program income) and the range of activities that may be undertaken, including the estimated amount that will benefit persons of low- and moderate-income.

Opportunities for input will include outreach to low- and moderate-income persons, persons living in predominately low- and moderate-income neighborhoods (defined as areas where more than 50 percent of the population have household incomes at or below 80 percent of the King County area median income), persons of color, non-English and limited English speaking persons, persons with a disability, and persons experiencing homelessness.

Additionally, the City encourages and will reach out to local and regional institutions, the Continuum of Care, and other organizations (including businesses, developers, nonprofit organizations, philanthropic organizations, and community-based and faith-based organizations) in the process of developing and implementing CDBG program plans and performance reports. Consistent with HUD regulations, in the process of developing the Con Plan, consultations shall include broadband internet service providers, organizations engaged in narrowing the digital divide, agencies whose primary responsibilities include the management of flood prone areas, public land or water resources, and emergency management agencies.

### **A. Public Notice**

Citizens must be given adequate notice of all hearings and public meetings through posting on the City webpage and direct notification to stakeholders. Adequate notice is defined as 14 calendar days. Public notice shall indicate the date, time, location, and purpose of the meeting and information about the issues to be discussed.

### **B. Means of Outreach**

**The City will use both traditional means of notice and outreach and newer methods to create awareness of planning processes and opportunities for review and input. Traditional methods include notices in the newspaper and posting in City Hall and elsewhere throughout the city. Additionally, newer methods, such as social media will be used to communicate about efforts, processes, and opportunities for participation in community development planning associated with the CDBG program.**

### C. Comment Period

The comment periods for plans and reports is listed in the following table and is described in more detail in Section VI.

Document	Comment Period
Consolidated Plan & Annual Action Plan	30 calendar days
Substantial Amendment to Con Plan & AAP	30 calendar days
Analysis of Impediments / Fair Housing Assessment	30 calendar days
Citizen Participation Plan	30 calendar days
Minor Amendment to Con Plan & AAP	15 calendar days
CAPER	20 calendar days

### D. Public Hearings

Public hearings will be held at least twice per year at key stages of the grants administration process to obtain the public's views and to provide the public with responses to their questions and comments. Public hearings may take place before the Human Services Commission and the City Council. Public hearings refers to both public hearings and community meetings.

### E. Access to Meetings

Meetings and forums shall be held in accessible locations to ensure that architectural barriers do not preclude the attendance of people who have a disability. In addition, accommodations will be made, upon request, for attendees who have hearing or visual challenges.

### F. Language Access

The City shall take reasonable steps to provide language assistance to ensure meaningful access to participation by non-English speaking and limited English proficient residents of the community. This will include making arrangements for translation services and meeting materials available in the appropriate language. Advance notice must be requested not less than three (3) business days prior to a public meeting or public hearing.

## V. Plans and Reports

The following describes the key planning and reporting documents for the CDBG federal grant. Plans and reports for the Consolidated Planning process are located at the following link.

<http://www.cityoffederalway.com/node/1674>.

### A. Consolidated Housing and Community Development Plan (Con Plan)

The Con Plan guides the use of federal CDBG funds for a five-year period. It describes the amount of assistance, priorities, range of activities, and estimated amount that will benefit low- and moderate-income people.

### B. Annual Action Plan (AAP)

The AAP outlines the specific projects and activities to be undertaken for the program year and the amount of funds that will be awarded to those projects. The program year begins January 1 and ends December 31.

**C. Consolidated Annual Performance and Evaluation Report (CAPER)**

The CAPER documents performance on the activities and projects undertaken and completed in the previous program year. This is completed and submitted to HUD not later than March 31. See Section VIII for further details on public processes for the CAPER.

**D. Analysis of Impediments to Fair Housing (AI) or Assessment of Fair Housing (AFH)**

In coordination with the Con Plan process, the City prepares a community-wide analysis of impediments to fair housing. Annual progress and work towards the fair housing goals are reported annually in the CAPER.

**E. Citizen Participation Plan (CPP)**

The CPP (this subject document) is required by HUD regulations and outlines the means and methods that the City uses to encourage public input into the planning and review process for the CDBG program. It is updated as needed.

**VI. Modifications to the Consolidated, Action Plans, and Citizen Participation Plan**

The following description and definition of amendments applies to only formally adopted and approved plans. Any plans not yet approved by City Council and HUD are considered draft documents subject to changes without public review.

**A. Modifications to the Consolidated Plan**

After the Con Plan is submitted to HUD, changes to the Con Plan follow the processes described below. The City is responsible for providing citizens with reasonable notice and an opportunity to comment when amendments to the plan are proposed.

Modifications to the Con Plan fall into three categories.

1. **Revisions to the Consolidated Plan**  
Revisions are edits, updates, or corrections that do not alter the activities, purpose, or intended beneficiaries of any of the strategies adopted in the Strategic Plan section of the Con Plan. The HSC will be notified during a regular meeting and the revised Con Plan will be published on the City's website.
2. **Minor Amendments to the Consolidated Plan**  
Minor Amendments are those which: 1) alter the annual accomplishment goals; or 2) amend a neighborhood revitalization strategy (NRSA) for a specific neighborhood located in a geographic area of the City. Minor amendments require public notice and an opportunity for the public to comment for 15 days and approval by the HSC in a regular meeting. The amended Con Plan will be published on the City's website.
3. **Substantial Amendments to the Consolidated Plan**
  - a. Substantial amendments are those which: 1) alter the activities, purpose or intended beneficiaries of a strategy identified in the Strategic Plan section of the Con Plan; 2) add or delete a strategy in the Strategic Plan section; 3) alter the annual accomplishment goals and/or the long-term goals of the major strategies in the strategic plan; and/or 4) add a neighborhood revitalization strategy (NRSA) for a specific neighborhood located in a geographic area of the City.

- b. A substantial amendment to the Con Plan must be approved by City Council in a public hearing.
- c. Substantial amendments require public notice and an opportunity for the public to comment for 30 days prior to the date set for a public hearing by the City Council to take action on the substantial change(s) to the Consolidated Plan.
- d. Substantial Amendments shall be considered by the HSC during the 30-day public comment period, which will make a recommendation to the City Council regarding the proposed amendment.
- e. All comments that are submitted, either orally or in writing during the comment period, shall be considered in any substantial amendment to the Consolidated Plan. A summary of public comments made and how they influenced the amendment, as well as the reasoning for comments that were rejected and did not influence the amendment, will be attached to the substantial amendment.
- f. The City will work with King County to submit the amended Consolidated Plan to HUD.
- g. The amended Con Plan will be published on the City's website.

**B. Modifications to the Annual Action Plan**

After the AAP is submitted to HUD, changes to the AAP follow the processes described below. The City is responsible for providing citizens with reasonable notice and an opportunity to comment when amendments to the plan are proposed.

Modifications to the Annual Action Plan fall into three categories.

1. Revisions to the Annual Action Plan
  - a. Minor changes, edits, updates, or corrections that do not meet threshold criteria for amendments and do not require public notice.
  - b. The HSC will be notified during a regular meeting and the revised Annual Action Plan will be published on the City's website.
2. Minor Amendments to the Annual Action Plan
  - a. A change of more than 50 percent in the amount of CDBG funds awarded to a project.
  - b. A change in an eligible activity, a change in the purpose of an activity, or scope of an activity such that the estimated number of intended beneficiaries are affected by 50 percent or more, or a change in the intended beneficiaries of an activity.
  - c. The cancellation of a project or activity.
  - d. A minor amendment must be approved by the HSC in a regular meeting and published on the City's website.
3. Substantial Amendments to the Annual Action Plan
  - a. A substantial amendment involves a modification in the amount of CDBG funds awarded by more than 35 percent of the annual entitlement grant amount.
  - b. The addition of a project or activity not previously identified as a contingency project.
  - c. A substantial amendment to the AAP must be approved by the City Council in a public hearing.
  - d. A substantial amendment that is approved by the City Council will be published in the *Federal Way Mirror* at least 30 days before they are implemented, and the public will be invited to comment during the 30-day period and at the public hearing before the Commission.

- e. All comments that are submitted, either orally or in writing, during the comment period shall be considered in any amendment to the AAP. A summary of public comments made and how they influenced the amendment, as well as the reasoning for comments that were rejected and did not influence the amendment, will be attached to the amendment
- f. The City will work with King County to submit the amended AAP to HUD.
- g. The amended AAP will be published on the City's website.

**C. Modifications to the Citizen Participation Plan**

After the CPP is approved by City Council, changes to the CPP follow the processes described below. The City is responsible for providing citizens with reasonable notice and an opportunity to comment when amendments to the CPP are proposed.

Modifications to the Citizen Participation Plan fall into three categories.

1. Revisions to the Citizen Participation Plan
  - a. Minor changes, edits, updates, or corrections that do not meet threshold criteria for amendments and do not require public notice.
  - b. The HSC will be notified during a regular meeting and the revised CPP will be published on the City's website.
2. Minor Amendments to the Citizen Participation Plan
  - a. Changes necessary as a result of HUD requirements.
  - b. Changes to the formatting and structure of the CPP.
  - c. A minor amendment must be approved by the HSC in a regular meeting and published on the City's website.
3. Substantial Amendments to the Citizen Participation Plan
  - a. Modification to public notice requirements and comment periods.
  - b. The addition of a plans or documents not previously identified in the CPP.
  - c. A substantial amendment to the CPP must be approved by the City Council in a public hearing.
  - d. A substantial amendment that is approved by the City Council will be published in the *Federal Way Mirror* at least 30 days before they are implemented, and the public will be invited to comment during the 30-day period and at the public hearing before the Council.
  - e. All comments that are submitted, either orally or in writing, during the comment period shall be considered in any amendment to the CPP. A summary of public comments made and how they influenced the amendment, as well as the reasoning for comments that were rejected and did not influence the amendment, will be attached to the amendment
  - f. The amended CPP will be published on the City's website.

**VII. Public Participation on the Fair Housing Analysis of Impediments (AI) or Assessment of Fair Housing (AFH) and Affirmatively Furthering Fair Housing**

The preparation of an Analysis of Impediments to Fair Housing (AI) and its subsequent document, the Assessment of Fair Housing (AFH), are critical parts of HUD housing and community development programs, and citizen participation is key to the successful completion of these planning efforts. In order

to maximize opportunity for public input into the process, City staff will make HUD-provided data and any other supplemental information to be incorporated into its AI or AFH available to its residents, public agencies, and other interested parties. Such data will be made available at, or as soon as feasible after, the start of the public participation process. The data may be made available to the public in a variety of formats and locations, both physical and electronic, including references to the data on HUD's website.

For purposes of the AI and/or AFH, the duty to “affirmatively further fair housing” means taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics. Specifically, affirmatively furthering fair housing means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially or ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

During the preparation of the AI/AFH, the public will be encouraged to participate via public meetings and other opportunities for input. Draft versions of the documents will be published on the City's website at the following link. <http://www.cityoffederalway.com/node/1674>. Additionally, the documents will be available for review at public libraries and at the City of Federal Way Community Development Department.

The public will be notified of the availability of the AI/AFH in the *Federal Way Mirror* and via other methods such as email and social media. Notification will be sent to public housing authorities, other service agencies, and other interested parties on a list maintained by the Community Development Department. The public will be encouraged to review and comment on this document prior to its submission to HUD. The public will be provided 30 days within which to comment on the report. Citizen comments on the AI/AFH will be considered if they are received orally at a public hearing or submitted in writing within the 30-day period for comment to the Community Services Manager located at 33325 8<sup>th</sup> Avenue South, Federal Way, Washington 98003-6325 or via email at the address listed at the end of this document.

The AI/AFH will be reviewed by the HSC during the 30-day comment period, and the HSC will provide a recommendation to City Council for action. The City Council shall consider the AI/AFH in a public hearing and take action prior to the submission of the AI/AFH to HUD.

The City shall consider any comments or views of residents of the community received in writing, or orally at the public hearings, in preparing the final AI/AFH. A summary of these comments or views, and a summary of any comments or views not accepted and the reasons why, shall be attached to the final AI/AFH.

## **VIII. Public Comment on the Annual Performance Report (CAPER)**

The City is required by HUD regulations to report annually on its performance in implementing the activities of the Con Plan. This takes place via the Consolidated Annual Performance Evaluation Report (CAPER). The public will be notified of the availability of the CAPER in the *Federal Way Mirror* and encouraged to review and comment on this document prior to its submission to HUD. The report will generally be available in March of each year. The public will be provided at least 20 days within which to comment on the report. Citizen comments on the CAPER will be considered if they are received orally at the public hearing or submitted in writing within the 30-day period for comment to the Community Services Manager located at 33325 8<sup>th</sup> Avenue South, Federal Way, Washington 98003-6325 or via email

at the address listed at the end of this document. Copies of the report will be available for review at the City of Federal Way Community Development Department.

## **IX. Anti-Displacement and Relocation Policy**

Applicants are encouraged to propose projects that avoid or minimize displacement. Projects that include or that will include federal funding (CDBG), and will acquire, demolish, or rehabilitate a building that has residential or commercial tenants in place, must follow the federal relocation requirements of the Uniform Relocation Act (URA) and the Real Property Acquisitions Regulations of for Federal and Federally Assisted Programs, as well as the Barney Frank Amendment, Section 104(d), if applicable.

## **X. Availability of Funds to Meet Objectives of the Consolidated Plan**

Funding opportunities and awards are posted on the City of Federal Way webpage at the following link: <http://www.cityoffederalway.com/node/1674>. All CDBG funding is subject to appropriation by Congress and distribution by HUD. Annual funding for both Public Services and capital projects/economic development is awarded to sub-recipients via the AAP.

- A.** CDBG funds for Public Services (e.g., homeless housing programs, job training, and youth services) are announced through the biennial human services funding application process. The City of Federal Way participates with 16 other cities throughout King County in a common application process that enables non-profit service providers to prepare and submit a single application that may include funding requests from up to 17 cities. The common application process takes place in late winter or early spring in even numbered years. The funding awarded via this process is for a two-year period beginning the calendar year following the application year. Funding recommendations are made by the Human Services Commission and approved by the City Council.
- B.** CDBG capital and economic development funds are available via the City's Community Economic Revitalization Funding (CERF) process. A Notice of Funds Available (NOFA) is issued annually and begins the Annual Action Plan preparation process. Completed applications are generally due in September. Notifications regarding CDBG funds available are made by direct notices to stakeholders, publication in the *Federal Way Mirror*, and the City website. The funding awarded via this process is for a single CDBG Program year beginning the calendar year following the application year. Funding recommendations are made by the Human Services Commission and then incorporated into the AAP, which is approved by the City Council and submitted to HUD for review and approval.

## **XI. Pre-applications and Technical Assistance to Applicants for Capital Funding**

Upon request, technical assistance will be made available to groups representing low- and moderate-income persons to assist them in understanding the requirements for developing proposals and preparing applications under the Con Plan and AAP.

- A.** Each year, Federal Way conducts workshops in connection with the CDBG application process to provide guidance and technical assistance to potential applicants for funds. The workshops provide information about federal requirements, local priorities, and application instructions. Additionally, technical assistance may be provided to individual (organizational) applicants

upon request prior to an application being submitted.

- B. Federal Way Community Services Staff is available throughout the year to work with potential applicants, sub-recipients, and other organizations to help them with policy and process questions, regulatory compliance, and creative problem-solving in working with federal funds and CDBG requirements.

## **XII. Additional Information and Access to Records**

Records relevant to the consolidated planning process and program administration are available for the preceding six years. Citizens, public and private agencies, and other interested parties will be given reasonable and timely access to information and records related to the Con Plan and program activities.

A copy of the final, approved documents (the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Analysis of Impediments to Fair Housing/Assessment of Fair Housing, and any amendments to those plans; and the CAPER) may be obtained through the City website at <http://www.cityoffederalway.com/node/1674>.

## **XIII. Complaints**

The City will provide a timely, substantive, written response to every written resident complaint within 15 working days. A complaint pertaining to the CDBG Program, Consolidated Plan, Annual Action Plan, any plan amendments and/or the performance report may be submitted for response to Community Services staff. Staff will review the complaint and will provide a response within a period of 15 working days of receipt of any complaint. A written appeal of a response may be requested of the Community Services Manager who will review and provide a written response within 21 days. The Community Services Manager's decision will be final.

## **XIV. Definitions and Acronyms**

### **Definitions**

Analysis of Impediments to Fair Housing Choice: The Analysis of Impediments is a review of impediments to fair housing choice in the public and private sector. It is a review of an Entitlement community's laws, regulations, and administrative policies, procedures, and practices and how those laws, etc. affect the location, availability, and accessibility of housing. The AI also evaluates how private sector activities pertaining to housing availability affect fair housing choice in the community.

Annual Action Plan: The Annual Action Plan is the annual work program and spending plan for the use of Federal grant funds. The AAP provides a concise summary of the actions, activities, and federal and non-federal resources that will be used each year to address the priority needs and specific goals identified by the Consolidated Plan.

Assessment of Fair Housing: The AFH is an analysis of fair housing issues and contributing factors in an Entitlement community. The types of issues considered include: 1) Patterns of integration and segregation; 2) Racially or ethnically concentrated areas of poverty; 3) Disparities in access to opportunity; and 4) Disproportionate housing needs. The AFH results in goals that the community sets forth to achieve over a Consolidated Plan period. The AFH is replacing the Analysis of Impediments to Fair Housing Choice planning process and will be instituted for the 2025-2029 Consolidated Plan period.

Citizen Participation Plan: The CPP (this subject document) describes the public participation process for planning and implantation of Federal Entitlement funds, and includes opportunities for involvement of affected persons and other concerned citizens in the planning process.

Community Development Block Grant: The Community Development Block Grant (CDBG) Entitlement Program provides and annual grants on a formula basis to entitled cities and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The program is authorized under Title 1 of the Housing and Community Development Act of 1974, Public Law 93-383, as amended; 42 U.S.C.-530.1 et seq.

Community Economic Revitalization Funding: The City of Federal Way's application process and program for the use of CDBG funds the City receives as an Entitlement community. The CERF is for portion of the annual grant that is available for capital projects and economic development efforts.

Consolidated Annual Performance and Evaluation Report: The CAPER is the annual report to the U.S. Department of Housing and Urban Development on the City's performance in implementing the activities of the Con Plan.

Consolidated Plan: The Con Plan guides the use of federal CDBG funds over a five-year period. It describes the amount of assistance, priorities, range of activities, and estimated amount that will benefit low- and moderate-income people.

"Entitlement" Community: A metropolitan city or urban county with a population of at least 50,000 which, because of its size, is entitled to receive annual Community Development Block Grant (CDBG) funds directly from the federal government.

Human Services Commission: The City of Federal Way Human Services Commission, which is responsible for evaluating applications and making recommendations to the City Council regarding funding from the CDBG grant and City general funds.

Notice of Funds Available: The public notice published in the local paper of record and noticed via a variety of other means to inform the community and service organizations that the City is making funds available for community development and human services activities supporting low- and moderate-income person in Federal Way. The NOFA announces the beginning of the application period for such funds and how and where applications are available.

Public Services: Public Services is that portion of an annual CDBG grant that is directed to and available for funding human services activities. Public Services funding is limited to 15% of the annual CDBG grant amount.

## **Acronyms/Abbreviations**

AAP: Annual Action Plan

AFH: Assessment of Fair Housing

AI: Analysis of Impediments to Fair Housing

CAPER: Consolidated Annual Performance and Evaluation Report

CDBG: Community Development Block Grant

CERF: Community Economic Revitalization Funding

Con Plan: Consolidated Plan

CPP: Citizen Participation Plan

HSC: City of Federal Way Human Services Commission

HUD: U.S. Department of Housing and Urban Development

NOFA: Notice of Funds Available

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## XV. Federal Way Program Managers

City of Federal Way Community Services Staff Contacts	
Community Services Manager	Jeff Watson <a href="mailto:jeff.watson@cityoffederalway.com">jeff.watson@cityoffederalway.com</a> <a href="tel:253.835.2650">253.835.2650</a>
CDBG / Human Services Coordinator	Sarah Bridgeford <a href="mailto:Sarah.bridgeford@cityoffederalway.com">Sarah.bridgeford@cityoffederalway.com</a> <a href="tel:253.835.2651">253.835.2651</a>
Housing Repair Program	Jeri-Lynn Clark <a href="mailto:Jeri-lynn.clark@cityoffederalway.com">Jeri-lynn.clark@cityoffederalway.com</a> <a href="tel:253.835.2401">253.835.2401</a>



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