

ADMINISTRATIVE CODE
BOARD OF COUNTY COMMISSIONERS

CATEGORY: Human and Veteran’s Services	<u>CODE NUMBER:</u> AC 15-2
TITLE: Citizen Participation Plan for U.S. Department of Housing and Urban Development (HUD) Consolidated Plan	<u>ADOPTED:</u> 3/21/90 <u>AMENDED:</u> 03/16/94, 04/19/95, 04/10/96, 06/06/00, 01/30/01, 11/18/03, 04/25/06, 01/19/10, 10/04/16, 05/19/20

ORIGINATING DEPARTMENT
Human and Veteran’s Services

PURPOSE/SCOPE:

To meet HUD requirements for the Consolidated Plan for HUD entitlement programs and the Assessment of Fair Housing, which require a written Citizen Participation Plan that sets forth Lee County's policies and procedures for a meaningful and transparent resident participation process.

SCOPE OF CITIZEN PARTICIPATION:

Lee County’s citizen participation process is implemented in accordance with 24 CFR 91.105 which describes the standards for local government’s Citizen Participation Plans. Lee County has determined the best practices that allow for meaningful input from low and moderate income residents who are the primary clients for HUD programs. All interested parties will be afforded adequate opportunity to review and comment on the development and implementation of the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing and Consolidated Annual Performance and Evaluation Report (CAPER), as well as any substantial amendments to the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and the CAPER. Lee County will make the development of the above items public. Residents will be provided with reasonable and timely access to public meetings and hearings.

CITIZEN ADVISORY COMMITTEE:

The Community Action Agency/Neighborhood District Committee (CAA/NDC) shall serve as the advisory body to the Lee County BoCC and shall participate in the planning, performance evaluation, and public comment on the Community Services Block Grant Action Plan, the Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and the CAPER. The committee comments shall be submitted to the BOCC, which may adopt, modify, or amend the plan(s).

ENCOURAGEMENT OF CITIZEN PARTICIPATION:

Residents, businesses, developers, local and regional institutions, philanthropic organizations, non-profit organizations, community-based and faith based organizations and other interested parties will be encouraged to participate in the development and implementation of the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and CAPER, as well as any substantial amendments to the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and the CAPER. Lee County will take reasonable action to ensure

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meaningful participation among all residents, especially low and moderate income, minority and non-English speaking persons, as well as persons with disabilities. Participation of residents of public and assisted housing, including any resident advisory boards, resident councils, and resident management corporations will be encouraged through cooperation with public housing agencies. Lee County shall provide information regarding the Assessment of Fair Housing to public housing agencies to ensure that the public housing agencies can make such information available at required public hearing(s).

NOTICES, REQUESTS FOR INFORMATION, AND ACCESS TO RECORDS:

Lee County will provide reasonable access to public meetings. Lee County will post timely notice of such meetings at the Lee County Administration Building and on Lee County public service television or other media accessible to persons with disabilities including persons with visual impairments. In addition, Lee County will publish public notices of all official public hearings in a newspaper of general circulation and on the Lee County website approximately 14 days before the scheduled hearing. Notices will be sent to organizations serving multi-cultural persons who are homeless, disabled, youth, elderly, affected HIV/AIDS and their families, low-income advocates and other special needs organizations and individuals upon request. Printed and media notices will indicate the date, time, location, and topics to be discussed. Upon request, Lee County will supply written documents converted into alternative non-written formats.

All entitlement grant records and program information relating to the Assessment of Fair Housing, Consolidated Plan, and Annual Action Plans during the preceding 5 years will be available for review by residents, public agencies, and other interested parties, during normal business hours at the Lee County Human and Veteran Services or on Lee County's website. The Lee County Human and Veteran Services is accessible to persons with disabilities and easily reached by public and private modes of transportation. All Requests for Information by residents will be subject to applicable federal, state, and local laws regarding personal privacy and obligations of confidentiality. Printed copies and computer disk copies of the Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and the CAPER will be available at the Lee County Department of Human Services.

DEVELOPMENT OF THE CONSOLIDATED PLAN/ANNUAL ACTION PLAN/ASSESSMENT OF FAIR HOUSING:

Lee County will hold two public hearings per year to obtain resident's views and to respond to proposals and questions at two different stages of the program year. Together, the two public hearings will address housing and community development needs, development of proposed activities, proposed strategies and actions for affirmatively furthering fair housing, and review of program performance. A second public hearing will be held to review the proposed Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing. Hearings will be held at times and locations convenient to Plan beneficiaries.

Lee County will notify the public by publishing advertisements in one or more local newspapers of general circulation and posting public notices regarding the development of the Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing and the holding of the two public hearings. The advertisements and posted notices will describe the amount of assistance Lee County expects to receive in grant funds and program income, the range of activities anticipated, the estimated amount benefiting low and moderate-income persons, Lee County's plans to minimize displacement/relocation of individuals affected by any anticipated community improvement projects, and the types of assistance Lee County will offer, or will require others to make available to any persons displaced or relocated.

Lee County will publish its proposed Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing so affected residents will have sufficient opportunities to review and provide comment. A

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summary of the proposed plan, assessment, or amendment will be published in one or more local newspapers of general circulation along with the locations of the complete plan. The Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing will be made available at the Lee County Human and Veteran Services and on the Lee County website, which is accessible through any internet connection, including those at public libraries. Lee County will provide a reasonable number of free copies to those requesting it (one per resident or one per agency/business). Lee County will give all interested residents a 30-day public review period. Lee County will consider any comments or views received in writing or orally, at public hearings, in preparing the final Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing. A summary of accepted comments or views, and a summary of any comments or views not accepted and the reasons therefore, shall be attached to the final Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing.

Any HUD-provided data and other supplemental information that Lee County plans to incorporate in the development of the Assessment of Fair Housing, Consolidated Plan, or Annual Action Plans will be made available to the public, resident, public agencies, and other interested parties at the start of the public participation process (or as soon as feasible after). HUD-provided data may be made available by cross-referencing data on HUD's website.

AMENDMENTS:

Lee County shall amend its approved Annual Action Plan whenever one of the following decisions is made:

1. To make a change in its allocation priorities or a change in the method of distribution of funds;
2. To carry out an activity using funds from any program covered by the approved Consolidated Plan not previously described in the Annual Action Plan;
3. To change the purpose, scope, location, or beneficiaries of an activity;

Notice of the amendments will be posted on the Lee County website, which is accessible through any internet connection, including those at public libraries. The amendments will be signed by the Lee County official representative authorized to take such action, and Lee County shall notify HUD that the amendment has been made.

SUBSTANTIAL AMENDMENTS:

A substantial amendment to the Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing is defined as follows:

1. Any change in the use of CDBG funds from one eligible activity to another;
2. Cumulative transfers among projects which exceed or expected to exceed 10 percent of the current total approved budget;
3. A material change occurs. A material change is a change in circumstances within Lee County that affects the information on which the Assessment of Fair Housing is based to the extent that the analysis, the fair housing contributing factors, or the priorities and goals of the Assessment of Fair Housing 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.*), 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
4. Upon HUD's written notification specifying a material change that requires the revision.

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Substantial amendments are subject to the resident participation process. Therefore, a public notice of the proposed substantial amendment will be issued and will allow for a 30 day public comment period. Notice of the amendments will be posted on the Lee County website, which is accessible through any internet connection, including those at public libraries. Comments or views received will be considered in preparing the substantial amendment. A summary of the comments or views and Lee County's responses will be included with the final substantial amendment to the Consolidated Plan, Annual Action Plan, and Assessment of Fair Housing. After completion of the public comment period, the substantial amendment will be signed by the official representative authorized to take such action. Lee County shall then notify HUD that the amendment has been made.

CAPER:

Lee County will provide residents with reasonable notice and an opportunity to comment on the CAPER. Lee County will give residents a 15-day public review period. Comments will be received at the Lee County Human and Veteran Services. Lee County will consider any comments or views received in writing or orally, in preparing the CAPER. A summary of these comments or views shall be attached to the CAPER.

EXPEDITED PROCEDURES (As Authorized by the CARES Act)

Lee County will provide residents with a reasonable notice and an opportunity to comment on how it has and will use funding by publishing the plan on the internet or other electronic media. These expedited procedures are established to meeting citizen participation requirements in circumstances where national/local health authorities recommend social distancing and limiting public gatherings for public health reasons.

No in-person public meetings will be held to gather input on draft, proposed, or amended Consolidated Plans or Annual Action Plans for as long as social distancing and limiting public gatherings for public health reasons. Lee County may meet public hearing requirements with virtual public hearings if: 1) national/local health authorities recommend social distancing and limiting public gatherings for public health reasons; and 2) virtual hearings provide reasonable notification and access for citizens in accordance with the Lee County's certifications, timely responses from local officials to all citizen questions and issues, and public access to all questions and responses. Virtual public hearings will be held with reasonable notification posted on the internet or other electronic media.

Lee County will provide residents with a 5-day public review period to gather input on draft, proposed, or amended Consolidated Plans or Annual Action Plans. Comments will be received via email or mail at the Lee County Human Services. All comments received will be considered and incorporated into the final documents submitted to HUD. All questions, responses and comments will be available to the public.

TECHNICAL ASSISTANCE:

Groups representative of low and moderate income residents may request technical assistance to comment on the Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and the CAPER, or to develop funding proposals to strengthen community-based development organizations within the objectives of the Consolidated Plan. The Lee County Human and Veteran Services will supply reasonable assistance in the form of staff presentations, informational handouts, research of a specific issue, or other short-term efforts. This staff assistance does not include the provision of funds to the requestor groups.

PROVISION FOR NON-ENGLISH SPEAKING RESIDENTS AND PERSONS WITH SPECIAL NEEDS:

Upon public request and subject to the availability of non-English general circulation newspapers, public notices will be published 14 calendar days prior to a public hearing in local newspaper(s) read by non-English speaking populations. If the Lee County Human and Veteran Services staff has determined that a significant number of non-English speaking residents are expected at a public hearing or meeting, an interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request in writing to the Lee County Department of Human Services for these services at least five (5) working days in advance of the meeting/hearing.

REASONABLE ACCOMMODATIONS FOR PERSONS WITH DISABILITIES:

Lee County will make reasonable accommodations for persons with disabilities. All public meetings and hearings will be held in locations accessible to all persons with disabilities. Upon request a sign language interpreter and/or other appropriate provisions will be made. Persons needing this assistance will be asked to submit a request to the Lee County Human and Veteran Services for these services at least five (5) working days in advance of the meeting/hearing.

ANTI-DISPLACEMENT:

Lee County will follow HUD regulations and its local anti-displacement policies so that displacement is minimized and if displacement is necessary, persons displaced will be provided with the types and levels of assistance as required by federal regulations.

COMPLAINT AND APPEAL PROCEDURES:

The Lee County Board of County Commissioners will hear complaints or grievances from residents regarding the development of the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing and CAPER, as well as any substantial amendments to the Citizen Participation Plan, Consolidated Plan, Annual Action Plan, Assessment of Fair Housing, and the CAPER.

Written complaints will be addressed to the Lee County Human and Veteran Services, 2440 Thompson Street, Fort Myers, FL 33901. The complaint will clearly state what the activity of program is, the nature of the complaint or grievance, and the name, address, and day and evening telephone numbers of the person filing the complaint. Upon receipt of a complaint, the Lee County Human and Veteran Services will prepare a written substantive, response to the complainant within 15 working days, whenever practical. If necessary, complaints or grievances will be heard in a timely fashion by the Lee County Board of County Commissioners.