



**City of Fort Pierce, Florida  
Department of Urban Redevelopment**

Community Development Block Grant (CDBG) Program

**CITIZEN PARTICIPATION PLAN**

# **CITIZEN PARTICIPATION PLAN**

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## **I. INTRODUCTION**

Community Development Block Grant (CDBG) and Section 108 Loan Guarantee funds are provided to the City of Fort Pierce by the U.S. Department of Housing and Urban Development (HUD) for the development of viable communities characterized by decent, safe and sanitary housing, a suitable living environment, and expanding economic opportunities. These activities must benefit low and moderate-income persons (household income up to 80% of the median income adjusted for family size), eliminate slums and blighted conditions, or meet urgent community needs. Citizen involvement is actively sought as part of the CDBG and Section 108 Loan program, and is always an integral part of the decision making process. Efforts are made to increase City residents' awareness of events transpiring within their neighborhoods. The City of Fort Pierce has devised a Citizen Participation Plan for public involvement in the planning process.

## **II. FEDERAL MANDATE**

The Housing and Community Development Act of 1974, as amended, with 24 CFR 570.301, 24 CFR 91.105, and CFR 570.704 establishes the following requirements for the City to meet in preparing its annual statement of community development objectives and projected use of funds. These requirements shall serve to permit public examination of the City's statement of objectives and use of funds, enhance public accountability for these grant funds, and facilitate coordination of activities at different levels of government.

Accordingly, the City shall:

1. Furnish citizens information concerning:
  - a. The amount of funds available, including Section 108 Loan Guarantee program funds for proposed community development and housing activities;
  - b. The range of activities that may be undertaken, including the estimated amount proposed for activities that will benefit low and moderate income persons (household income up to 80% of the median income adjusted for family size); and
  - c. The plans of the City for minimizing displacement of persons resulting from activities funded under the CDBG and Section 108 Loan Guarantee programs and its plans to assist those persons actually displaced.
2. Publish a proposed statement of objectives and use of funds in such a manner to afford affected citizens an opportunity to examine its content and to submit comments on the proposed statement. In general, fifteen (15) days will be considered sufficient published notice.
3. Hold two or more public hearings at different stages of the program year to obtain the public's views and provide to the public the City's responses to community development and housing needs;
4. Provide citizens with reasonable access to records regarding the past use of the City's CDBG and Section 108 Loan Guarantee funds;
5. Provide citizens with reasonable notice of, and opportunity to comment on any substantial proposed change in the use of funds from one activity to another;

6. Consider such citizen comments and views, and if deemed appropriate by the City, modify its proposed statement before being finalized; and
7. Make its final statement of objectives and use of funds available to the public. Any final statement may be amended from time to time in accordance with these same procedures.

Any participation activities outlined herein meet and exceed these federal mandates in keeping with the City's desire to have its Community Development program responsive to the needs of its residents.

### **III. DEFINITIONS**

**Area Median Income:** HUD surveys major metropolitan areas annually to development an index of area median income by household size. Most CDBG-funded activities and programs must benefit primarily low- and moderate-income households.

**Annual Action Plan:** This document allocates one year's funding (entitlement and program income) to specific projects and activities for the CDBG program. Development of the Five-Year Consolidated Plan and Annual Action Plan is the primary focus of citizens participating in the Citizen Participation Plan.

**CAPER:** The Consolidated Annual Performance Evaluation Report (CAPER) is the document used to evaluate the performance of programs including CDBG and Section 108 Loan Guarantees. It reports on the progress made on the five-year Consolidation Plan through the actions identified in the Annual Action Plan.

**Citizen Participation Plan:** This plan is prepared to facilitate and encourage public participation and involvement in the Consolidated Plan process and the City's CDBG program, especially by low- and moderate-income persons. The plan identifies the public participation requirements as identified by federal regulations (24 CFR Part 91).

**Community Development Block Grant (CDBG) Program:** The Community Development Block Grant (CDBG) Program is a Federal program created under the Housing and Community Development Act of 1974. This program provides grant funds to local and state governments to be used to develop viable urban communities by providing decent housing with a suitable living environment and expanding economic opportunities to assist low and moderate-income residents. Grant funds are awarded to programs that offer improvements to public facilities and public services, including the acquisition, planning, and redevelopment of real property, and other hard cost. A small amount of grant funds is also available for program administration, operations, staffing, equipment, and other soft costs.

**Consolidated Annual Performance Evaluation Report (CAPER):** This document reports on the progress in carrying out the Consolidated Plan and Annual Action Plan. The report is prepared annually by the City in accordance with federal regulations (24 CFR Part 91). It is due to HUD no later than 90 days after the end of the City's fiscal year or September 28.

**Consolidated Plan:** This document serves as the City's application for CDBG funds and sets forth the priorities and strategies to address the needs of primarily low and moderate-income persons and areas in the City. It typically covers a three- or five-year time period. It is submitted to HUD in accordance with federal regulations (24 CFR Part 91). This document is required to receive HUD Community Planning and Development funds, and exists in forms that detail housing needs and strategies over three and five-year periods.

**Consolidated Plan Documents:** These include the Consolidated Plan, the Annual Action Plan, and the Consolidated Annual Performance and Evaluation Report (CAPER), as well as any Substantial Amendment to the Consolidated Plan or Annual Action Plan.

**Extremely Low-Income:** Households with incomes less than 30 percent of the area median family income, adjusted for household size.

**Low and Moderate-Income Households:** These are households earning less than 80 percent of the area median income. They are broken down into the following income designations.

**Low and Moderate-Income Neighborhood:** In general, this is defined as a census tract(s) or block group(s) where a minimum of 51 percent of the residents have low or moderate incomes (i.e., not exceeding 80 percent of the area median income).

**Low-Income:** Households with incomes between 31 and 50 percent of the area median family income, adjusted for household size.

**Moderate-Income:** Households with incomes between 51 and 80 percent of the area median family income, adjusted for household size.

**Program Year:** The "program year" chosen by the City of Texarkana is September 1 through August 31.

**Section 108 Loan Guarantee:** The Section 108 Loan Guarantee program is the loan guarantee provision of the Community Development Block Grant Program (CDBG). Section 108 provides communities with a source of financing for economic development, housing rehabilitation, public facilities, and large-scale physical development projects. It allows local governments to transform a small portion of their CDBG funds into federally guaranteed loans large enough to pursue physical and economic revitalization projects that can renew entire neighborhoods.

#### **IV. OPPORTUNITIES FOR PARTICIPATION**

During the process of developing the annual statement of community development objectives and allocating the available funds to specific activities to carry out these objectives, formal citizens' involvement opportunities will be available. Public comment will be solicited at a series of public meetings, as well as in response to the City publication of its proposed objectives and use of funds.

**Public Hearings:** In order to provide citizens the opportunity to participate in the development of the Action Plan, Consolidated Plan, the Consolidated Annual Performance and Evaluation Report, the Citizen Participation Plan, and substantial amendments to these documents, public hearings will be conducted by the

Communitywide Council and the City Commission during the public hearing portion of their regularly scheduled meetings. This will permit participation by low and moderate-income persons, residents of slum and blighted neighborhoods, and handicapped citizens. All hearings will be held in a location that is accessible to persons with mobility impairments. If notified in a timely manner, the City, local supportive service organizations, and/or an interpreter will be on hand to provide assistance whenever a significant number of non-English speaking residents are expected to participate in a public hearing. In addition, all reasonable accommodation will be made for deaf interpreter services, if requested.

Two hearings before the City Commission will be held, at different stages, after publication of the plan's summary, detailing its proposed statement of objectives and use of funds. The first hearing will allow for public comments on the proposed use of funds, enable any affected party the opportunity to discuss community needs, objectives and proposed use of funds, review of program performance, and insure that the opportunity to comment on the proposed statement is afforded. The final public hearing will allow public comments prior to the City Commission's approval of the plan to submit to HUD.

All public hearings will be advertised in the non-legal section of a local newspaper of general circulation at least fifteen (15) days prior to such hearing indicating date, time, location, and topic to be discussed. Radio announcements, civic club announcements, and mail outs will also be utilized to properly notify and encourage participation from citizens, including businesses, developers, community organization, faith-based organizations, minorities, non-English speaking, persons with disabilities, and low and moderate income person who reside in slum or blighted areas or other areas of the hearings.

The City will provide post timely notices of public meetings in public areas and will provide timely access to information and records relating to the City's proposed and actual use of federal assistance, grant funds, loan funds, and program income. A fifteen (15) day advance prior notice of public hearings will be provided, with a thirty (30) day public comment period. The City shall make available all documents relevant to the programs during normal working hours at City Hall, 100 N. U.S. Highway #1, in the Department of Urban Redevelopment, at no cost to the citizen. These documents will also be available at the St. Lucie County Public Library reference department and on the City's website. All documents will be made available in a form accessible to persons with disabilities, upon request.

## **V. ADEQUATE INFORMATION**

The Department of Urban Redevelopment will provide full disclosures and public access to CDBG and Section 108 Loan Guarantee program information. At the beginning of the planning process for each program year, the following information will be published in a local newspaper of general circulation and on the City's website:

1. The total amount of Community Development Block Grant and Section 108 Loan Guarantee funds available for the new program year.
2. The range of activities that may be undertaken, the types of activities previously done and types of eligible activities.

3. The process for development and final approval of projects or activities.
4. All public hearings regarding the CDBG and Section 108 Loan Guarantee Program; and others.

**Access to Records:** Upon finalization by the City Commission of the statement of objectives and activities to be funded, the City shall make available all documents relevant to the programs during normal working hours, 8:00 AM – 5:00 PM, at the Fort Pierce City Hall, 100 N. U.S. Highway #1, in the Department of Urban Redevelopment, at no cost to the citizen. Relevant documents will also be available on the City's website.

The Department of Urban Redevelopment will provide full and timely disclosure of its program records and information consistent with applicable State law in formats to include persons with disabilities, upon request. Available documents include:

- All mailings and promotional information.
- Copies of all meeting minutes and public hearing notices.
- All key documents, including previous annual applications, letters of approval, grant agreements, citizen participation plan, annual performance reports, Consolidation Plan, HUD project reports, project proposals, environmental review records, and others.
- Copies of all relevant HUD regulations.
- Project and activity files.

The Department of Urban Redevelopment will accept citizen responses, requests and/or complaints any time throughout the year, and will respond in writing to written complaints and/or grievances, within fifteen (15) working days, where practicable.

## **VI. ENVIRONMENTAL REVIEW AND RELEASE OF FUNDS NOTICES**

The City conducts environmental assessments, as needed, on activities funded under the CDBG grant and Section 108 Loan Guarantee projects, prior to releasing these federal dollars and beginning the actual improvements. This environmental assessment is done to determine if there would be any significant negative impacts on the local environment that would result if the project is implemented. This review also is designed to assess each project's compliance with all applicable federal environmental laws.

The final step in this environmental review process is the publication of a legal notice stating the City's determination of the impact each project will have. This determination can either be a finding of no significant impact, (in which case, funds may be requested to be released from HUD), or a finding of significant impact, (in which case a full Environmental Impact Statement must be prepared). If the latter case is found, the Environmental Impact Statement must be completed prior to taking any further action on the project.

After one of these two findings has been made, and all additional requirements have been fulfilled, the Department of Urban Redevelopment will request the release of funds from the Department of Housing and Urban Development. An advertisement to

this effect will be placed in the legal section of a newspaper of general circulation stating a fifteen (15) day waiting period for public review and comments.

During the waiting period, HUD will accept an objection to its approval of the release of funds and acceptance of the certification only if it is on one of the following basis: (a) That the certification was not in fact executed by the chief executive officer or other officer of applicant approved by HUD; or (b) that applicant's environmental review record for the project indicates omission of a required decision, finding, or step applicable to the project in the environmental review process. Objections must be prepared and submitted in accordance with the required procedure (24 CFR Part 58), and may be addressed to HUD at the Department of Housing and Urban Development, Atlanta Area Office, 645 Peachtree Street, Atlanta, Georgia, 30323. Objections to the release of funds on basis other than those stated above will not be considered by HUD. These two notices, finding of no significant impact, and request for release of funds, will run together whenever possible.

## **VII. ANNUAL PERFORMANCE AND GRANTEE REPORTS**

The City prepares and publishes annual final statement reports on the progress of CDBG and Section 108 Loan Guarantee assisted activities in accordance with federal regulations. The Consolidated Annual Performance and Evaluation Report (CAPER) shall be completed within ninety (90) days of the end of each program year and made available to all interested persons prior to submission to HUD.

These performance reports provide information on the program's progress for all funded activities, status of fund expenditures, number of persons benefiting, the housing assistance provided, in relationship to the City's objectives. Citizen comments are solicited by the City for HUD on this report for a period of at least fifteen (15) days.

The Annual Action Plan will be made available for public review in the Department of Urban Redevelopment from 8:00 A.M. until 5:00 P.M., Monday through Friday and on the City's website continuously. The Action Plan is due to HUD annually by August 15. This plan is reviewed during its inception by two separate public hearings to devise the actions that will be included in the plan.

Citizens will be notified that these reports are available for review by means of advertisements in the non-legal section of a local newspaper, and public comments will be received by the Department of Urban Redevelopment.

## **VIII. GRANT AMENDMENTS**

The level of citizens' participation activities will vary with the scope of the grant amendment. If the amendment involves a budget change exceeding thirty (30) percent of the annual program budget, and/or changes funding from one eligible activity to another that has not been previously approved by the City Commission, the City shall conduct a public hearing on the amendment and publish the proposed amendment in a local newspaper and on the City's website. The Department of Urban Redevelopment will respond in writing to citizen comments, requests and/or complaints within fifteen (15) working days where practicable. A summary of comments received will be attached to substantial amendments. A thirty (30) day comment period will be allowed before the amendment is implemented.

For any other amendments not mentioned in the above guidelines, the City

Commission may take final action upon request or delegate authorization to the City Manager to amend the CDBG grant and Section 108 Loan Guarantee budget.

## **IX. TECHNICAL ASSISTANCE**

The Department of Urban Redevelopment staff provides support for all activities. Technical assistance related to participation in the CDBG and Section 108 Loan Guarantee program is available to any interested party during every step of the process. Staff is ready to explain the CDBG and Section 108 Loan Guarantee programs in detail, review project eligibility, assist with proposal development, and provide information on activities funded in the present or past years. This assistance is available Monday through Friday, 8:00 A.M. to 5:00 P.M., at the Department of Urban Redevelopment, second floor, City Hall. Staff can be reached by phone at 772-467-3169 during these hours.

## **X. COMMUNITYWIDE COUNCIL (ADVISORY BOARD)**

The City desires to encourage participation of its citizens, especially low and moderate-income residents, in developing and implementing Community Development programs. Citizens are involved in an advisory role in defining policy issues and developing strategies for determining both short and long-term community development objectives.

**Members:** The Communitywide Council consists of seven (7) regular voting members and up to four (4) alternate members, to be appointed by the City Commission. The regular voting members consists of four (4) persons of low or moderate income from the CDBG target area and will be residents of federally assisted housing, representatives of community organizations or otherwise eligible for participation in the CDBG program, and three (3) members of the community at large. The alternate members shall consist of two persons from each group described above and shall have no voting powers, except to fill the seat of an absent regular voting member and vote in their stead, as required and as defined in City Resolution 10-54.

This will insure continued involvement of citizens and citizen organizations throughout all stages of the program. All members shall be appointed to serve a two (2) year term. No member shall serve more than two (2) consecutive terms.

**Meetings:** Meetings of the Communitywide Council shall be held on the second (2<sup>nd</sup>) Wednesday of the month beginning at 6:00 p.m. in the second floor conference room at City Hall. Meetings shall be held monthly.

## **XI. CITIZEN'S COMPLAINTS**

Citizens who wish to register a complaint about any CDBG and Section 108 Loan Guarantee program activity may do so by writing the Department of Urban Redevelopment, at the following address:

City of Fort Pierce  
Department of Urban Redevelopment  
100 N. U.S. Highway #1  
Fort Pierce, FL 34950  
(772) 467-3169

Every effort will be made to provide written responses to complaints within fifteen (15) days. If the information requested cannot be provided by this office, if the City's response is not adequate, or if persons wish to object to approval of an application, citizens may contact the HUD Jacksonville, Florida area office at the address below:

U. S. Department of Housing and Urban Development  
Office of Community Planning and Development  
Charles Bennett Federal Building  
400 W. Bay Street, Suite 1015  
Jacksonville, FL 32202  
(904)-232-1777

HUD will consider objections made for the following reasons:

- The applicant's description of needs and objectives is plainly inconsistent with the available facts and data;
- The activities to be undertaken are plainly inappropriate to meeting the needs and objectives identified by the applicant; or
- The application does not comply with the requirements or applicable law; or
- The application proposed activities which are otherwise ineligible.

Such objections should include both an identification of the requirements not met and the data upon which the persons rely. Although HUD will consider objections submitted at any time, such objections should be submitted within thirty (30) days of the publication of the notice that the application has been submitted to HUD. In order to insure that objections submitted will be considered during the review process, HUD will not approve an application until at least forty-five (45) days after receipt of an application.

## **XII. CERTIFICATIONS**

The City of Fort Pierce shall submit certifications to HUD each program year in accordance with the Housing and Community Development Act of 1974, as amended, and the Housing and Community Development (HCD) Act of 1987.

## **XIII. EFFECTIVITY**

This Plan shall be effective July 2, 2012; all provisions concerning citizen involvement in implementing and assisting the program apply to activities that are ongoing as of this date, as well as to all future activities.

This Plan shall remain in effect until all Community Development Block Grant or Section 108 Loan Guarantee activities are completed, or until a new Citizens Participation Plan supersedes it.