



Housing & Community Development Division

CITIZEN PARTICIPATION PLAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

APPROVED:	July 18, 2024
CANCELS:	October 6, 2022
ORIGINATOR:	Housing and Community Development Division
REVIEW:	As needed

INTRODUCTION

Pursuant to 24 CFR Part 91, Consolidated Submissions for Community Planning and Development Programs, the City of Palm Bay is required to certify that it has developed and is acting in compliance with a Citizen Participation Plan which:

- Provides for and encourages citizen participation, with particular emphasis on participation by persons of low and moderate income who are residents of slum and blighted areas in which CDBG funds are proposed to be used, and by residents of blighted areas in which CDBG funds are proposed to be used, and by residents of Palm Bay's predominantly low- and moderate-income neighborhoods, as well as all citizens including minorities, non-English speaking persons, and persons with disabilities;
- Provides for consultation between the City and public housing authorities in order to encourage participation by residents of public and assisted housing developments in the process of developing and implementing the Consolidated Plan* and the Comprehensive Grant Program;
- Provides for adequate and appropriate information regarding the Consolidated Plan to be furnished to citizens, public agencies and other interested parties;
- Provides for reasonable and timely access to records and information relating to the Consolidated Plan, prior years' annual Action Plans, and Consolidated Annual Performance and Evaluation Reports (CAPERs);
- Provides for technical assistance to groups representative of persons of low and moderate income that request such assistance in developing proposals with the level and type of assistance to be determined by the City;
- Provides for public hearings to be held to obtain citizen's views on housing and community development needs, including priority non-housing community development needs, and for citizens to respond to proposals relative to the selection of funded activities before the Consolidated Plan is adopted. At least one public hearing shall be held to review program performance;
- Provides for adequate notice of public hearing to be scheduled at times and locations convenient to potential or actual beneficiaries and with accommodations for persons with disabilities and groups of non-English speaking persons;
- Provides for consideration of written and oral comments and views from citizens and procedures for handling citizen's complaints;
- Provides for specification of criteria the City will use to determine what constitutes a substantial change in the City's planned or actual activities requiring substantial amendment of the Consolidated Plan and a procedure for notification and comment on proposed substantial amendments by the public.

DEVELOPMENT OF THE CONSOLIDATED PLAN

(i) The citizen participation plan must require that at or as soon as feasible after the start of the public participation process the jurisdiction will make the HUD-provided data and any other supplemental information the jurisdiction plans to incorporate into its consolidated plan available to its residents, public agencies, and other interested parties. The jurisdiction may make the HUD-provided data available to the public by cross-referencing to the data on HUD's website.

(ii) The citizen participation plan must require that, before the jurisdiction adopts a consolidated plan, the jurisdiction 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. The citizen participation plan also must set forth the jurisdiction's plans to minimize displacement of persons and to assist any persons displaced, specifying the types and levels of assistance the jurisdiction will make available (or require others to make available) to persons displaced, even if the jurisdiction expects no displacement to occur.

ENCOURAGEMENT OF CITIZEN PARTICIPATION

The City will encourage citizen participation through the following avenues and strategies:

1. The Community Development Advisory Board (CDAB) appointed by the City Council will be the primary mechanism for ensuring continuous citizen involvement and input in planning, implementation, and evaluation phases of federal housing and community development programs administered by the City. Board membership consists of persons from different racial/ethnic backgrounds and various income levels and neighborhoods throughout the City, including low-income persons and residents of CDBG target areas. City Council will ensure representation of low-income citizens and minorities in Board appointments.
2. The City shall encourage the participation of local and regional institutions, Continuums 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 the consolidated plan.
3. Citizen participation will also be encouraged through consultation with agencies and groups representing or serving the needs of low- and moderate-income persons including persons with disabilities throughout Palm Bay. The critical role of the Housing Authorities in housing the City's poor makes collaboration with these agencies a vital link in the Consolidated Plan development process. Minimally, the City will confer with officials from these agencies to solicit input regarding housing and non-housing priority needs.

Comments and proposals regarding the program are encouraged and should be submitted by citizens directly to the City of Palm Bay during the planning period prior to public hearings or in response to publication of the Consolidated Plan, substantial plan amendments or performance report. Any comments or views of citizens received in writing or orally at public hearings in response to the preparation of the Consolidated Plan, substantial plan amendments or the CAPER as proposed, shall be considered by the City prior to the adoption of the particular document and attached.

4. The scheduling of public meetings at strategic locations throughout the City to attract citizens and groups most likely to be directly affected by these programs is another strategy the City will use to encourage broad-based citizen involvement.
5. The City shall make an effort to provide information to the PHA about affirmatively furthering fair housing strategy, and consolidated plan activities related to its developments and surrounding communities so that the PHA can make this information available at the annual public hearing(s) required for the PHA Plan.

TECHNICAL ASSISTANCE

To facilitate citizen participation, the City, through the Housing and Community Development Department, shall provide technical assistance to the following:

- Citizens and organizations, so that they may adequately participate in planning, implementing, and evaluating the program.
- Groups which are representative of low- and moderate-income persons and residents of blighted neighborhoods which request assistance in developing proposals.

INFORMATION TO BE PROVIDED

The City of Palm Bay shall provide for full public access to program information and make appropriate information available to citizens, especially to those of low and moderate income and to those living in lower income or blighted areas.

Before the City adopts a Consolidated Plan, it will make the following information available to citizens, public agencies, and other interested parties:

- The amount of federal funds the City expects to receive, including grant funds and program income, and the range of activities that may be undertaken;
- The estimated amount of federal funds that will benefit persons of very low and low income;

- Plans to minimize the displacement of persons and to assist any persons displaced as a result of funded activities by utilizing all steps and measures outlined in the HUD Handbook 1378.0: Tenant Assistance, Relocation and Real Property Acquisition Handbook to ensure continued compliance with all federal regulations regarding acquisitions and relocation.

The City shall publish a summary of the proposed Consolidated Plan, describing its content and purpose and locations where the entire document may be examined, in a newspaper of general circulation prior to the Plan's adoption. A thirty (30) day comment period for citizens to respond shall be provided following publication. Any comments or views of citizens received in writing in response to the Consolidated Plan as proposed shall be considered by the City prior to the adoption of the final Consolidated Plan. A summary of such comments shall be submitted to HUD.

The City will review its program performance annually and submit a report to HUD within 90 days of the end of each program year. The City shall make the CAPER available for public comment. The comment period during which citizens may respond in writing shall be no less than fifteen (15) days. The past performance and accomplishments summary shall be reviewed and submitted to the Community Development Advisory Board prior to submission to HUD.

In the event the City decides to substantially amend the approved Consolidated Plan, the City shall publish a notice in a newspaper of general circulation advising citizens of the proposed substantial amendments, the hearing date, time, and location as well as provide for a thirty (30) day comment period during which citizens may respond in writing. The substantial amendments along with a summary of comments attached shall be reviewed and submitted to the City Council prior to submission to HUD.

Upon adoption of a Consolidated Plan, substantial amendments, CAPER or substantial amendment to the Citizen Participation Plan, the City shall make the documents available for review by the public at the Housing and Community Development Department office, 2nd Floor, Building B 120 Malabar Road SE, Palm Bay, FL 32907. Written or electronic copies of the documents will be provided upon request.

ACCESS TO RECORDS

The City of Palm Bay shall make available all documents relevant to the program at the Housing and Community Development Department office 2nd Floor, Building B 120 Malabar Road SE, Palm Bay, FL 32907. Such documents shall include the following:

- Copies of public hearing notices.
- All key documents for the five most recent years including letters of approval, grant agreements, the Citizen Participation Plan, the Consolidated Plan, CAPERs, and other reports required by HUD.
- Copies of regulations and issuances governing the program.

- Documents regarding other important program requirements, such as contracting procedures, environmental policies, fair housing and other equal opportunity requirements, relocation and anti-displacement provisions, and the intergovernmental review process.

COMPLAINTS

Any complaints submitted by a citizen in written form and received by the City shall first be referred for disposition by the Community and Economic Development Director who shall reply in writing directly to the citizen within fifteen (15) days of receipt of same where practicable. Citizens may at any time contact HUD directly at the following address:

U.S. Department of Housing and Urban Development
Jacksonville Field Office, Office of Community Planning and Development
Charles Bennett Federal Building
400 West Bay Street, Suite 1015
Jacksonville, FL 32202-4410

PUBLIC HEARINGS

The City shall hold at least one public hearing prior to publication of the Consolidated Plan in order to:

- Obtain the views of groups and citizens on housing and community development needs, including priority non-housing community development needs;
- Develop proposed activities, including proposals from citizens or groups for funding of specific Public Service activities; and
- Receive citizen comments on proposals for activity funding

Hearings will be advertised in a local newspaper of general circulation at least fifteen (15) days prior to the scheduled date of the hearing. Notice of the hearings will also be posted in community centers and recreational facilities throughout the strategy areas in the City. The notice shall indicate the purpose of the hearing, date, time, and location of the hearing. Hearings shall be held at convenient times and locations and shall make possible the participation of persons with disabilities.

An additional public hearing shall be held at the end of the program year in order for citizens to review and comment on program performance. At least fifteen (15) days prior to the public hearing the City shall publish a notice in a newspaper of general circulation advising citizens of the purpose of the hearing and the date, time, and location of the hearing.

In the event a significant number of non-English speaking residents are expected to participate at a public hearing on the Consolidated Plan or CAPER, the City may make arrangements for a suitable method of communication to be available to the group provided a request is made at least three (3) working days prior to the hearing.

CONSOLIDATED PLAN AMENDMENTS

The City shall amend its approved Consolidated Plan whenever it decides to:

- Make a change in its allocation priorities or a change in the method of distribution of funds;
- Carry out an activity (using funds from any program covered by the Consolidated Plan, including program income) not previously described in the Action Plan; and/or,
- Change the purpose, scope, location, or beneficiaries of an activity.

CRITERIA FOR SUBSTANTIAL AMENDMENT TO CONSOLIDATED PLAN

A change shall be classified as a "substantial amendment" and be subject to the citizen participation process in accordance with this Citizen Participation plan, under one or more of the following conditions:

- (i) Any change in the allocation priority or change in the method of distribution of funds.
- (ii) The use of funds to carry out an eligible activity from any program covered by the Plan (including program income), not previously described in the Action Plan.
- (iii) A change in the purpose, scope, location, or beneficiaries of an activity. A change in the use of funds from one eligible activity to another.
- (iv) A change in the project location, which is outside of, and not contiguous to, previously designated target area; or described location for the activity.
- (v) The percentage of federal CDBG funds expended for the benefit of low to moderate income persons falls below its required 70% as a result of any proposed increase/decrease in expenditures for any one project or activity.

SUBSTANTIAL AMENDMENTS TO THE CITIZEN PARTICIPATION PLAN

Substantial amendment to the Citizen Participation Plan is defined as any revision other than a purely technical or clarifying revision. Substantial amendments to the Citizen Participation Plan shall be subject to the same public comment period and public hearing requirements as the CAPER.

SECTION 108 LOAN PROGRAM CITIZEN PARTICIPATION PLAN

The City of Palm Bay has developed this additional section of the citizen participation plan, which shall be applicable only if the City applies for the CDBG Section 108 Guaranteed Loan Funds. HUD regulations state that the Section 108 Loan Citizen Participation Plan may be incorporated into the City's existing Citizen Participation Plan provided that it complies with the requirements delineated in 24 CFR 570.704(a)(2). Note that HUD regulations state that the City is not required to hold a separate public hearing for its Consolidated Plan and for the Section 108 Loan process to obtain citizens' views on community development and housing needs. To the extent that it is feasible, it is the City's intent to combine these two processes as allowed by federal regulations. This Section 108 Loan Citizen Participation Plan sets forth the following policies and procedures to ensure residents and stakeholders are provided an opportunity to provide comments on actions related to a potential Section 108 Loan application and use of such funds.

NOTICES AND MEETINGS

The citizen participation plan must provide residents of the community with reasonable and timely access to local meetings, consistent with accessibility and reasonable accommodation requirements, in accordance with section 504 of the Rehabilitation Act of 1973 and the regulations at 24 CFR part 8; and the Americans with Disabilities Act and the regulations at 28 CFR parts 35 and 36, as applicable. Palm Bay citizens will be provided timely notice of local meetings and reasonable and timely access to local meetings, information, and records relating to the City's proposed and actual use of guaranteed loan funds. The means that will be utilized to provide notices will be same as outlined previously in the Citizen Participation Plan. Information that will be provided shall include, but is not limited to:

- The amount of guaranteed loan funds expected to be made available as a result of an application for Section 108 Loan funds, including program income anticipated to be generated by the activities carried out with guaranteed loan funds;
- A list of the range of activities that may be undertaken with guaranteed loan funds;
- The estimated amount of guaranteed loan funds (including program income derived from) proposed to be used for activities that will benefit low and moderate income persons;
- The proposed activities likely to result in displacement and the City's plans, consistent with the policies developed under § 570.606, for minimizing displacement of persons as a result of its proposed activities.

TECHNICAL ASSISTANCE

The City will provide technical assistance to groups representative of persons of Low- and Moderate-income that request assistance in developing proposals for the use of Section 108 Loan funds. The level and type of assistance to be provided is outlined

in the Citizen Participation Plan. This technical assistance need does not include the provision of funds to such groups.

PUBLIC HEARINGS

The City will hold at least two public hearings at a different stage of the application process, as follows:

- At least one hearing will be held before submission of a proposed Section 108 loan application to obtain the views of citizens on community development and housing needs as they relate to the application for Section 108 Loan funds.
- A second public hearing will be held following the receipt of Section 108 loan funds as part of an annual performance review.
- Together the hearings will address community development and housing needs, development of proposed activities and review of program performance as they relate to the receipt and use of Section 108 Loan funds.
- Reasonable notice of the hearing will be provided, and the hearing will be held at times and locations convenient to potential or actual beneficiaries, with accommodation for the handicapped. The means that will be utilized to notify interested parties of hearing times, locations and potential beneficiaries will be same as outlined previously in the Citizen Participation Plan.
- Language translation services will be provided at meetings, such as public hearings, where a significant number of non-English speaking residents may reasonably be expected to participate.

SUBSTANTIAL AMENDMENTS

The City will provide affected residents with reasonable advance notice of, and opportunity to comment on, proposed activities not previously included in a Section 108 Loan application and activities which are proposed to be deleted or substantially changed in terms of purpose, scope, location, or beneficiaries. For the purpose of the Section 108 Guarantee Loan program, the City has determined that following situation(s) will constitute(s) a **substantial change** thus triggering the requirement for a public hearing and 30-day public comment period:

- Changes in the use of Section 108 Loan funds from one proposed eligible type of activity to a new activity that was not identified in the original Section 108 Loan application to HUD.
- More than 25% of the Section 108 Loan Fund awarded to the City is reallocated to one or more eligible activities.

EMERGENCY PROVISIONS

In certain cases, as authorized by HUD in response to a declared emergency by the President of the United States or the Governor of the State of Florida, emergency provisions may be applied for expedited procedures to draft, propose, or amend Citizen Participation Plan, Consolidated Plans, and Annual Action Plans. Emergency provisions may include notice and reasonable opportunity for public review and comment, waiver of requirements for in-person public hearings, and deadlines for submission of plans.

COMPLAINTS AND GRIEVANCES

The City will respond to citizens' complaints and grievances. Procedures for addressing complaints will be the same as outlined previously in the Citizen Participation Plan. The City will encourage citizen participation, particularly by low- and moderate-income persons who reside in slum or blighted areas, and other areas in which guaranteed loan funds are proposed to be used.

RESERVATION OF AUTHORITY

The authority to issue and/or revise Policies is reserved by the Palm Bay City Council.

**Rob Medina, Mayor
City of Palm Bay Council**

Date approved by the Council: **July 18, 2024**

ATTEST:

Terese Jones, City Clerk