



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

Community Development Block Grant (CDBG) Program

**CITIZEN PARTICIPATION PLAN**

**May 16, 2016**

# CITIZEN PARTICIPATION PLAN

## TABLE OF CONTENTS

	<u>Page</u>
I. Introduction	3
II. Federal Mandate	3
III. Definitions	4
IV. Opportunities For Participation	5
V. Adequate Information	7
VI. Environmental Review & Release of Funds Notice	7
VII. Annual Performance and Grantee Reports	8
<b>VIII. 5-Year Analysis of Impediments to Fair Housing Choice</b>	<b>8</b>
IX. Plan Amendments	9
X. Technical Assistance	10
<b>XI. Communitywide Council (Advisory Board)</b>	<b>10</b>
XII. Citizen Complaints	11
XIII. Certifications	12
XIV. Effectivity	12

## **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.

A memorandum dated March 14, 2016, entitled "Incorporating 24 CFR Part 5, Affirmatively Furthering Fair Housing into 24 CFR 91.10 Consolidated Program Year, 24 CFR 91.105 Citizen Participation Plan for Local Governments and 24 CFR 91.115 Citizen Participation Plan for States promoted the Final Rule at 24 CFR Part 5 regarding a grantee's obligation to Affirmatively Further Fair Housing (AFFH). The new rule sets forth a meaningful and transparent process to identify and understand local and regional fair housing issues and to set goals for improving fair housing choice and access to opportunity.

Under the new rule, the Citizen Participation Plan requirements at 24 CFR 91.105 for local governments and 24 CFR 81.115 for states have been revised to accommodate the new AFFH, the analysis undertaken pursuant to 5.154 requiring consultation and community participation in the analysis of fair housing data, an assessment of fair housing issues and contributing factors and an indication of fair housing priorities and goals.

These requirements shall serve to permit public examination of the City's statement of objectives to further fair housing and the use of funds and efforts to 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**

**Analysis of Impediments to Fair Housing Choice Report** - As a recipient of federal funding from the U.S. Department of Housing ("HUD"), the City of Fort Pierce is required to analyze the impediments to fair housing choice and then take steps to overcome the impediments it identifies. This Analysis of Impediments to Fair Housing Choice ("AI") is intended to satisfy this requirement and enable the City to more quickly overcome the barriers to full and equal access to safe, decent, affordable housing in economically vibrant, diverse communities throughout the City.

**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.

**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.

**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 Fort Pierce is October 1 through September 30.

**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, the creation of the Analysis of Impediments to Fair Housing Report, and substantial amendments to these documents, public hearings will be conducted by the City Commission during the public hearing portion of regularly scheduled commission meetings. This will provide the opportunity of 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, at different stages, will be held 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 following approval 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. All documents will be made available in a form accessible to persons with disabilities upon request.

The City may also explore alternative public involvement techniques and quantitative ways to measure efforts that encourage citizen participation in a shared vision for change in communities and neighborhoods, and the review of program performance as directed by the Urban Redevelopment Department. Unless otherwise noted in this document, all communication regarding the Citizen Participation Plan, the Consolidated Plan, Annual Action Plans, CAPER Reports and Analysis of Impediments to Fair Housing Report should be directed to:

Urban Redevelopment Department  
City of Fort Pierce City Hall  
100 North U.S. Hwy. 1  
Fort Pierce, Florida 34950  
772-467-3169

## **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:

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.

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, Analysis of Impediments to Fair Housing Choice report, 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 on all 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 office 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. 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. 5-YEAR ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (AI)**

The following describes the process and procedures related to the development of the Five-Year Analysis of Impediments (AI) to Fair Housing Choice Report.

### **1. Plan Development**

The City shall follow the following procedures in the drafting and adoption of the 5-Year AI:

#### **a. Plan Considerations**

During the development of the 5-Year AI, the City will consult the following groups/agencies to solicit their input on fair housing issues in the City:

- Fair Housing Organizations
- Other local governments
- Advocacy groups for special needs households
- Affordable housing providers
- Banks and other financial institutions
- Educational institutions

A variety of mechanisms may be utilized to solicit input from these groups/agencies. These include telephone or personal interviews, surveys, and consultation workshops.

#### **b. Plan Review and Comment**

The draft AI shall be made available for public review for a 30-day period

prior to City Commission consideration at a scheduled public hearing. Written comments will be accepted during public review period by the Department of Urban Redevelopment.

A summary of the comments and the City's responses to the comments will be attached to the draft AI.

Copies including comments will be made available for citizen review.

**c. Public Hearing**

The City Commission shall conduct a public hearing to accept public comments on the draft AI as part of the approval of the 5-Year Consolidated Plan. After public comments are heard and considered by the City Commission, the City Commission shall approve or reject the AI.

Section IV, Opportunities for Participation, describes the process for publishing notice for and conducting public hearings.

**d. Submittal to HUD**

Upon adoption of the AI pursuant to HUD regulations, AI shall be incorporated into the 5-Year Consolidated Plan and submitted along with the Consolidated Plan to HUD for approval.

**2. Plan Access and Comments**

The approved AI will be kept on file by the City at the Department of Urban Redevelopment, and will be accessible online at:

<http://cityoffortpierce.com/399/Community-Development-Block-Grant-CDBG>.

The Plan will be made available to those requesting a copy by contacting:

City of Fort Pierce

Department of Urban Redevelopment

100 North U.S. Hwy. 1

Fort Pierce, Florida 34950

772-467-3183

Email: [kmike@city-ftpierce.com](mailto:kmike@city-ftpierce.com)

**IX. PLAN AMENDMENTS**

The level of citizens' participation activities will vary with the scope of the 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. 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/or Section 108 Loan Guarantee budget.

**X. 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 more 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 772-467-3183 during these hours.

## **XI. 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 will be 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 shall consist of seven (7) regular voting members and up to four (4) alternate members, to be appointed by the City Commission. The regular voting members will consist 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, at least six (6) times each fiscal year.

**Responsibilities:** The Communitywide Council responsibilities include the review of the City's Community Development Block Grant (CDBG) Program 5-Year Consolidated Plan, Annual Action Plan, Consolidated Annual Performance Evaluation Report (CAPER), economic development business loan applications, non-profit organizations' grant applications requesting funding, and projects proposed by citizens for staff and City Commission consideration. Additionally, the Communitywide Council will be tasked with the review of citizen complaints with issues surrounding the various City housing programs and assist staff in dealing effectively with individual concerns.

Further, as the City addresses brownfield issues, the Council will provide public review and input on cleanup plans for a variety of projects. The Communitywide Council's areas of interest have been enlarged under the guidance of the new Department of Urban Redevelopment and the Department welcomes comments and suggestions from the public, through the Communitywide Council.

At the November 9, 2011 Communitywide Council meeting, the Council agreed to serve the City as the State Housing Initiatives Partnership (SHIP) Affordable Housing Action Committee (AHAC). The primary responsibility of the AHAC is to review and assist in the drafting of the State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP) by providing a venue for public review and comment during their regularly-scheduled meetings. The LHAP is updated once every three years and submitted to the State for review and approval.

## **XII. CITIZEN 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) 460-2200

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.

## **XIII. 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.

## **XIV. EFFECTIVITY**

This amended Plan shall be effective **May 16, 2016**; 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.